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ABSTRACT

Based upon a survey of the community and junior college state directors in all 50 states and Puerto Rico, this five-part report presents an analytical and descriptive review of state legislation affecting community colleges. Part I discusses study methodology and describes the two survey instruments--one soliciting information on relevant legislation enacted or proposed during 1979 and another requesting supplementary information on the statewide coordination of lifelong learning programs. Part II analyses findings as they relate to legislation in seven topical areas: (1) financial matters, such as appropriations and capital funds; (2) administrative affairs, including governing boards and institutional research; (3) procedures and regulations regarding physical facilities and their construction; (4) institutional expansion and name changes; (5) personnel benefits and collective bargaining; (6) student services and tuition; and (7) curriculum, accreditation, and certification. Part III analyzes the legislative intent of the bills affecting community colleges, and Part IV presents summary conclusions, noting, among other findings, the growth of legislation dealing with finance. The report concludes with an analysis of responses to the lifelong learning questionnaire. Abstracts of relevant 1979 state legislation are appended. (JP)

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State Legislation Affecting Community and Junior Colleges, 1979

S. V. Martorana and Wayne D. Smutz

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Prepared in cooperation with the National Council of State Directors of Community and Junior Colleges

Center for the Study of Higher Education
Report No. 35

The Pennsylvania State University
University Park, Pennsylvania

June 1980

TABLE OF CONTENTS

Page

LIST OF TABLES v

FOREWORD vii

PREFACE ix

I. INTRODUCTION 1

Data Collection Procedures 1
Analytical Procedures 2
Interpretations and Limitations of the Study 9

II. TOPICAL ANALYSES OF STATE LEGISLATION 11

Area 1: Finance 12

Appropriations for Operations 13
Capital Funds 19
Financial Procedures 20

Area 2: Administration 30

Governing Boards 30
Process of Policy Formation 33
Administrative Operation 36
Coordination 38
Studies and Surveys 39
Enabling Legislation 40

Administrative Legislation and Institutional Autonomy 40

Area 3: Physical Facilities 47

Building Codes 47
Construction Procedures 48
Facility Regulations 49

Area 4: Institutional Growth 49

New Institutions 50
Institutional Expansion 50
Name Changes 50
Restrictions on Growth 51

Page

Area 5: Personnel 51

Employee Benefits 51
Employee Rights and Regulations 54
Collective Bargaining 56

Area 6: Students 57

Student Rights, Responsibilities, and Regulations 57
Tuition and Fees 58
Student Aid 59

Area 7: Academic Programs 60

Curriculum 61
Accreditation and Certification 62

III. LEGISLATIVE INTENT AND THE IMPACT OF STATE LEGISLATION ON COMMUNITY COLLEGES 65

Review of the 1978 Findings 68
Review of the 1979 Findings 69
Comparison of the 1978 and 1979 Findings 72
Conclusion 77

IV. CONCLUSIONS 79

V. THE COORDINATION OF LIFELONG LEARNING PROGRAMS 83

Conclusion 92

APPENDICES

A. Abstracts of State Legislation Relating to Postsecondary Education 95

B. Index to Legislation 169

C. Letter of Inquiry 173

D. Follow-up Letter 175

E. Lifelong Learning Questionnaire 177

LIST OF TABLES

Table Page

1. STATES RESPONDING TO 1979 STATE LEGISLATION STUDY INQUIRIES 3

2. NUMBER OF LEGISLATIVE ITEMS ENACTED IN 1979 . . 4

3. NUMBER OF LEGISLATIVE ITEMS PROPOSED IN 1979 . . 5

4. REVIEW OF 1979 LEGISLATION BY SEVEN MAJOR AREAS 7

5. REVIEW OF LEGISLATION BY TWENTY-FIVE SUBJECT CATEGORIES 8

6. GENERAL APPROPRIATIONS FOR COMMUNITY AND JUNIOR COLLEGES 1976-77, 1977-78, 1978-79, 1979-80 14

7. FINANCIAL LEGISLATION AFFECTING COMMUNITY AND JUNIOR COLLEGES: TYPE OF IMPACT--1979 22

8. FINANCIAL LEGISLATION AFFECTING COMMUNITY AND JUNIOR COLLEGES: TYPE OF IMPACT--1976, 1977, 1978, 1979 23

9. ADMINISTRATION RELATED LEGISLATION: TYPE OF IMPACT, 1979 42

10. ADMINISTRATION RELATED LEGISLATION: TYPE OF IMPACT, 1977, 1978, 1979 42

11. INTENT OF LEGISLATIVE PROPOSALS ACCORDING TO EDUCATIONAL OR GOVERNMENTAL SEGMENT AFFECTED 66

12. INTENT OF LEGISLATIVE PROPOSALS ACCORDING TO TOPICAL AREAS AFFECTED 67

13. INTENT OF LEGISLATIVE PROPOSALS ACCORDING TO EDUCATIONAL OR GOVERNMENTAL SEGMENT AFFECTED: COMPARISON OF 1978 AND 1979 73

14. INTENT OF LEGISLATIVE PROPOSALS ACCORDING TO TOPICAL AREAS AFFECTED: 1978 AND 1979 74

15. POSTSECONDARY LEADERS' CONCERN WITH NEED TO COORDINATE LIFELONG LEARNING PROGRAMS . . . 85

16. PUBLIC POLICY MAKERS' CONCERN WITH NEED TO COORDINATE LIFELONG LEARNING PROGRAMS . . . 86

FOREWORD

This report is the fifth in a series generated through the cooperative efforts of the Center for the Study of Higher Education and the National Council of State Directors of Community and Junior Colleges. The continuing cooperative project represents the Center's interest in sustaining research particularly related to matters of state- and system-wide policy, governance, and coordination of postsecondary education. Through a descriptive and analytical review of the relevant legislative activity occurring throughout the states, it is hoped that those interested in postsecondary educational affairs will gain a better grasp of the issues public policy makers believe to be most crucial. Under contemporary circumstances, there can be no doubt that postsecondary educational institutions must be aware of, understand, and take into consideration the activities of state officials and bodies. This document is intended to facilitate that awareness, understanding, and consideration.

The report presents information on state legislative actions affecting community and junior colleges throughout the nation. Not only does it include the factual information reported by the states, but it also contains an interpretative evaluation and synthesis of the major developments occurring in state legislatures. Additionally, it reports the findings of a survey designed to determine the extent to which efforts are being taken to coordinate lifelong learning programs.

The report is structured so that those wishing to gain a broad understanding of legislative matters can do so through a reading of the text while those interested in specific legislative actions can consult the abstracts of the relevant bills and laws. In this regard, any inquiries concerning specific legislative items should be addressed to the appropriate state director. Any comments or observations about the work in general, however, should be forwarded to the senior author, Dr. S. V. Martorana, Research Associate in the Center.

Kenneth P. Mortimer
Professor and Director
The Pennsylvania State University
Center for the Study of Higher
Education

PREFACE

This is the fifth annual survey and analysis of state legislation affecting community and junior colleges. The National Council of State Directors of Community and Junior Colleges and the Center for the Study of Higher Education, The Pennsylvania State University, again cooperatively supported and participated in the project as they have done since 1975.

The coauthors of this report wish to thank the numerous persons and agencies that helped in its production. First, we would like to thank the National Council for its continuing interest and financial support of the project. We hope that this study justifies the Council's past support and encourages it to cooperate in similar, future reports.

Second, the essential roles of individual members of the National Council and their staff in this project need to be recognized. Through their efforts we were provided with the original sources of legislative information that serve as a foundation for this report. We are deeply indebted to them for their cooperation.

Finally, we would like to acknowledge the continued support provided by the Center for the Study of Higher Education, The Pennsylvania State University. The editors would like to thank Betty Meek for her editorial assistance in the preparation of the final manuscript. Especially noteworthy are the conscientious and diligent efforts of the Center's secretaries: Marilyn Downing, Pat Duich, and Mary Kay Montovino. Their assistance was essential in the production of this report.

S. V. Martorana
Wayne D. Smutz
June 1980

I

INTRODUCTION

This is the fifth annual survey and analysis of state legislation affecting community and junior colleges. The National Council of State Directors of Community and Junior Colleges and the Center for the Study of Higher Education, The Pennsylvania State University, again cooperatively supported and participated in the project. The U. S. Office of Education published studies of state legislation affecting post-secondary education in general from 1957 to 1965. That review was discontinued in 1965, however, and a ten-year hiatus followed in which there was no comprehensive review of legislation. Then, in 1975, the National Council decided to support the reinstitution of an annual review of legislation with a specific focus on community and junior colleges. The Center for the Study of Higher Education at Penn State agreed to participate in this endeavor. Studies of state legislative activity relative to community and junior colleges subsequently were completed and published for the periods 1973-75, 1976, 1977, and 1978. Articles summarizing and/or focusing on specific aspects of these studies have appeared in such publications as Community and Junior College Journal, Community College Review, and Community College Frontiers.

Data Collection Procedures

The 1979 study essentially involved a four-stage process. Initially, community and junior college state directors in all fifty states and Puerto Rico were sent letters of inquiry on July 20, 1979, requesting them to provide copies of bills or analyses of legislation acted upon in 1979. At the same time, state directors were asked to complete a brief questionnaire designed to obtain information on the extent to which efforts are being taken to coordinate lifelong learning programs among the various educational segments. The second stage involved sending follow-up letters to both of these requests on October 23, 1979. A progress report was then prepared and distributed to those state directors attending the National Council's annual meeting in early December. Representatives of those states that had supplied information as of that date were asked to review the progress report to ensure the accuracy of the comments related to their states. Finally, during December 1979 and January 1980, a telephone survey of those states that had not previously responded to the requests for information was conducted to ensure as complete a response from the field as possible.

The information provided in Table 1 indicates the scope of legislative activity covered. Of the fifty-one state directors contacted, forty-nine responded to our request for information on state legislation and thirty-nine completed the questionnaire on the coordination of lifelong learning programs.

Analytical Procedures

The methods used in this study and report will be briefly outlined before providing an extensive review of the 1979 legislation. A considerable quantity and variety of legislation is received from the reporting states each year. In order to understand the material better, each piece of legislation is classified according to an established categorical scheme.

The first step in this classification process is the separation of the reported legislation into that which was enacted and that which was not. Table 2 includes only enacted legislation while Table 3 is a compilation of proposed legislation. Legislation that was introduced but not enacted is included in the report because enacted legislation alone does not necessarily indicate the full range of issues addressed by state legislatures. Some matters are debated for several years before they become law. To neglect such issues would misrepresent state legislatures' concerns.

As in the past, however, this report does not cover all the legislation that was introduced but not passed. The criterion used to determine inclusion in this review is that the original legislative committee assigned the bill must have passed it. Thus, bills rejected by a full chamber or a committee of the nonoriginating house as well as bills vetoed by a governor are reported. Those bills that died in committee or failed when put to a committee vote are not reported.

Table 1

STATES RESPONDING TO 1979 STATE LEGISLATION STUDY INQUIRIES

ID#	State	State Legislation	Lifelong Learning Questionnaire
1	Alabama	X	X
2	Alaska	X	X
3	Arizona	X	X
4	Arkansas	X	X
5	California	X	
6	Colorado	X	X
7	Connecticut	X	X
8	Delaware	X	X
9	Florida	X	X
10	Georgia	X	
11	Hawaii	X	
12	Idaho	X	X
13	Illinois	X	X
14	Indiana	X	X
15	Iowa	X	X
16	Kansas	X	X
17	Kentucky	X	X
18	Louisiana	X	X
19	Maine	X	
20	Maryland	X	X
21	Massachusetts	X	X
22	Michigan	X	X
23	Minnesota	X	
24	Mississippi	X	X
25	Missouri	X	X
26	Montana	X	X
27	Nebraska	X	X
28	Nevada	X	X
29	New Hampshire	X	X
30	New Jersey	X	X
31	New Mexico	X	X
32	New York	X	
33	North Carolina	X	
34	North Dakota	X	X
35	Ohio	X	X
36	Oklahoma	X	X
37	Oregon	X	
38	Pennsylvania	X	
39	Rhode Island	X	X
40	South Carolina	X	X
41	South Dakota	X	X
42	Tennessee	X	
43	Texas	X	X
44	Utah	X	X
45	Vermont	X	X
46	Virginia	X	X
47	Washington	X	X
48	West Virginia	X	
49	Wisconsin	X	X
50	Wyoming		
51	Puerto Rico		X
	TOTAL	49	39

TABLE 2

NUMBER OF LEGISLATIVE ITEMS ENACTED IN 1979

	FINANCE						ADMINISTRATION																								PHYSICAL FACILITIES											
	Appropriations	Capital Funds	Financial Procedures				Governing Bodies				Process of Policy Formation				Administrative Operations				Coordination				Studies and Surveys				Enabling Legislation				Building Codes				Construction Procedures				Facility Regulations			
			A[4]	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D
Alabama	5	1		1	1			1				2																														
Alaska	1																																									
Arizona	2	2				1																												1				2				1
Arkansas	2			4		2						4											1																			1
California	1	1	5	1		1	1				1	1			2			1					1															1				
Colorado	1	1				2												2										1										3				
Connecticut	1	1				1																													1			1	1			
Delaware	1																																									
Florida	1	1	2	1		1		1			2	1			1			2		1				1				1										1	1			1
Georgia						4						1																												1		2
Hawaii	1	1																																								
Idaho	1	1				1																																				
Illinois	3	4	2			8	1				2			1	1				1					1															1			1
Indiana	1							1										1																								
Iowa	2	1	1	1		1																																	1			
Kansas		1	4																																							
Kentucky[1]																																										
Louisiana																																										
Maine																																										
Maryland	1	1		1			1				1																															
Massachusetts	1	1																																								
Michigan	1																																									
Minnesota	3	1																					1	2																		
Mississippi	4					1													1																							
Missouri	1																																									
Montana	2		1				1				1								1					1											1							
Nebraska	2	1	1			3		1		1		1								1			1	1		2																
Nevada	1																																									
New Hampshire[3]																																										
New Jersey	1		1				1																																			
New Mexico	2	2																						1				1														
New York	1	1																1																						1		
North Carolina	4	2	2			1	1				3												2			1												1				
North Dakota	2		2																																							
Ohio	1																																	1								
Oklahoma	1																																									
Oregon	2	2	3			9	3			2								2		1				1										1								2
Pennsylvania	1	1																																								
Rhode Island							1	1																1																1		
South Carolina	1	1	2				2																																			
South Dakota[3]																																										
Tennessee	1	2				3						1				1		1						1														1	2			2
Texas	1		2	1		5	1	1		1		1				2								1																		
Utah	1																																									
Vermont	1																																									
Virginia	2			1								1						2																								
Washington	1	1	4			4		1											1	3				3											1							
West Virginia																																										
Wisconsin	1																																									
Wyoming[2]																																										
Puerto Rico[2]																																										
Legislation	63	31	32	11	1	48	13	7	0	4	10	13	0	1	4	3	0	12	4	6	0	0	6	14	0	3	0	3	0	0	0	0	0	3	3	0	0	10	6	3	0	10
States	40		25				15				13				4				7				14				3				3				9				11			

---

[1] No Session

[2] No Report

[3] No Public Community Colleges

[4] Impact of Legislation by Types of Institutions:
A = Community and Junior Colleges Only
B = Larger Segment of Postsecondary Education including Community and Junior Colleges
C = Segments of Postsecondary Education excluding Community and Junior Colleges
D = All State Governmental Bodies

	INSTITUTIONAL GROWTH																PERSONNEL															
	New Institutions				Institutional Expansion				Name Changes				Restrictions on Growth				Employee Benefits				Employee Rights, Regulations and Responsibilities				Collective Bargaining				Faculty Workload			
	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D
Alabama																	1			2				1								
Alaska																																
Arizona																				2												
Arkansas																		1		1		3										
California																	1			1	1							1				
Colorado																				1	1	1		1								
Connecticut																												1				
Delaware																																
Florida																	2			6	1			1		1		4				
Georgia		2																2		1				2								
Hawaii																																
Idaho																																
Illinois																		11			1											
Indiana																				2												
Iowa																				2								1				
Kansas																																
Kentucky [1]																																
Louisiana																																
Maine																																
Maryland																				1	1											
Massachusetts																																
Michigan																																
Minnesota													1					1														
Mississippi																	1							1								
Missouri																																
Montana																	1				1											
Nebraska																																
Nevada																																
New Hampshire [3]																																
New Jersey																																
New Mexico																																
New York					1																			1								
North Carolina	1								2				1							1	1											
North Dakota																																
Ohio					1																											
Oklahoma																																
Oregon																	1			6				2				1				
Pennsylvania																																
Rhode Island																		2														
South Carolina																																
South Dakota [3]																																
Tennessee					1									1			1			5		2										
Texas																		4		1				2								
Utah																																
Vermont																																
Virginia																								1								
Washington																				6				1								
West Virginia																																
Wisconsin																																
Wyoming [2]																																
Puerto Rico [2]																																
Legislation	1	2	0	0	3	0	0	0	2	0	0	0	2	1	0	0	8	21	0	38	7	6	0	13	0	1	0	8	0	0	0	0
States	2				3				1				3				18				17				5				1			

[1] No Session

[2] No Report

[3] No Public Community Colleges

[4] Impact of Legislation by Types of Institutions:

A = Community and Junior Colleges Only

B = Larger Segment of Postsecondary Education including Community and Junior Colleges

C = Segments of Postsecondary Education excluding Community and Junior Colleges

D = All State Governmental Bodies

Table 2b - Number of Legislative Items Enacted in 1979 (continued)

	STUDENTS												ACADEMIC PROGRAMS								TOTALS	
	Rights and Responsibilities				Tuition and Fees				Student Aid				Curriculum				Accreditation and Certification				Number of Topics	Number of Pieces of Legislation
	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D		
Alabama																					15	12
Alaska																					1	1
Arizona						2				1											14	11
Arkansas													2	1							22	12
California					1					2				2							26	22
Colorado					1	2				3			1								21	18
Connecticut																					7	7
Delaware																					1	1
Florida		1				1			1				1	1			1	2			42	23
Georgia																					15	15
Hawaii																					2	2
Idaho																					3	3
Illinois		1			1					7			2								49	43
Indiana										2								1			8	7
Iowa									1												11	8
Kansas					1					1				1							8	7
Kentucky [1]																						
Louisiana																						
Maine																						
Maryland					1								1								9	7
Massachusetts																					2	2
Michigan																					1	1
Minnesota										2				1							12	9
Mississippi														1							9	7
Missouri																					1	1
Montana																					10	4
Nebraska																		1			16	10
Nevada																					1	1
New Hampshire [3]																						
New Jersey																					3	1
New Mexico																					6	5
New York		1																			7	6
North Carolina						1							1				1	1			27	14
North Dakota																					4	3
Ohio																					3	3
Oklahoma																					1	1
Oregon																					38	36
Pennsylvania		1																			3	2
Rhode Island		1																			7	6
South Carolina						1															7	7
South Dakota [3]																						
Tennessee				1						1			1								28	22
Texas					1	3								1			1	1			30	24
Utah																					1	1
Vermont																					1	1
Virginia										1											8	8
Washington					1	6				3			3	2			3	1			45	38
West Virginia																						
Wisconsin																					1	1
Wyoming [2]																						
Puerto Rico [2]																						
Legislation	0	5	0	1	7	16	0	0	2	23	0	0	12	10	0	0	6	7	0	0	526	413
States	5				11				12				13				6					

[1] No Session

[2] No Report

[3] No Public Community Colleges

[4] Impact of Legislation by Types of Institutions:
A = Community and Junior Colleges Only
B = Larger Segment of Postsecondary Education including Community and Junior Colleges
C = Segments of Postsecondary Education excluding Community and Junior Colleges
D = All State Governmental Bodies

Table 2c - Number of Legislative Items Enacted in 1979 (Continued)

TABLE 3

NUMBER OF LEGISLATIVE ITEMS PROPOSED BUT NOT ENACTED IN 1979

	FINANCE						ADMINISTRATION																								PHYSICAL FACILITIES											
	Appropriations	Capital Funds	Financial Procedures				Governing Bodies				Process of Policy Formation				Administrative Operations				Coordination				Studies and Surveys				Enabling Legislation				Building Codes				Construction Procedures				Facility Regulations			
			A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D
Alabama																																										
Alaska																																										
Arizona	1		2			2	1													1														1				1				
Arkansas																																										
California	2		2			2		2				2		1				7		1			1																			
Colorado		1		1			2	1			2									1																						
Connecticut			1			4					1																															
Delaware																																										
Florida	1			1												1		4																1	1			2	1			
Georgia																		1																								
Hawaii																																										
Idaho																																										
Illinois	1	5	2	1		8		1		1	1	1				2																										
Indiana																																										
Iowa																																										
Kansas																																										
Kentucky[1]																																										
Louisiana																																										
Maine																																										
Maryland			1				1				1				1																											
Massachusetts			2								1																												1			
Michigan		1	3	1																																						
Minnesota																				1				1																		
Mississippi						1		1				1																														
Missouri		1	2																1								1															
Montana																																										
Nebraska	1		1				1				1								1																							
Nevada																																										
New Hampshire[3]																																										
New Jersey																																										
New Mexico	1		1				1				1																															
New York	1	1	1			2	2	1												1			1																			
North Carolina			1				1				1								1				1																			
North Dakota																																										
Ohio																																										
Oklahoma																																										
Oregon																																										
Pennsylvania																																										
Rhode Island																																										
South Carolina																																										
South Dakota[3]																																										
Tennessee																																										
Texas																																										
Utah																																										
Vermont																																										
Virginia	1			1																																						
Washington	3			1							1	1		3		1																										1
West Virginia																																										
Wisconsin		1	1				1	1			1			1		1		3		1																						2
Wyoming[2]																																										
Puerto Rico[2]																																										
Legislation	12	10	20	6	0	19	10	7	0	1	11	5	0	5	1	5	0	15	3	6	0	0	3	1	0	0	1	0	0	0	0	0	0	2	1	0	0	3	2	0	0	3
States	8	6	18				11				12				7				9				4				1				2				2				4			

[1] No Session
[2] No Report
[3] No Public Community Colleges

[4] Impact of Legislation by Types of Institutions:
A = Community and Junior Colleges Only
B = Larger Segment of Postsecondary Education including Community and Junior Colleges
C = Segments of Postsecondary Education excluding Community and Junior Colleges
D = All State Governmental Bodies

	INSTITUTIONAL GROWTH																PERSONNEL															
	New Institutions				Institutional Expansion				Name Changes				Restrictions on Growth				Employee Benefits				Employee Rights, Regulations and Responsibilities				Collective Bargaining				Faculty Workload			
	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D
Alabama																																
Alaska																																
Arizona																				4				2	1							
Arkansas																																
California																	1			2	1											
Colorado																						1										
Connecticut																									1							
Delaware																																
Florida																				7				6				2				
Georgia																																
Hawaii																																
Idaho																																
Illinois					1													1		1	4				1			1				
Indiana																																
Iowa																																
Kansas																																
Kentucky[1]																																
Louisiana																																
Maine																																
Maryland																																
Massachusetts																																
Michigan																																
Minnesota																		1				1										
Mississippi																								1								
Missouri									1																							
Montana																																
Nebraska																					1					1						
Nevada																																
New Hampshire[3]																																
New Jersey																																
New Mexico																																
New York																					2											
North Carolina																								1								
North Dakota																																
Ohio																								1								
Oklahoma																																
Oregon																																
Pennsylvania																																
Rhode Island																																
South Carolina																																
South Dakota[3]																																
Tennessee																																
Texas																																
Utah																																
Vermont																																
Virginia																																
Washington	2																	1			2			4				1				
West Virginia																																
Wisconsin																				4				1								
Wyoming[2]																																
Puerto Rico[2]																																
Legislation	2	0	0	0	1	0	0	0	1	0	0	0	0	0	0	0	1	3	0	18	10	2	0	16	3	1	0	4	0	0	0	0
States	1				1				1				0				7				13				6				0			

[1] No Session
[2] No Report
[3] No Public Community Colleges

[4] Impact of Legislation by Types of Institutions:
A = Community and Junior Colleges Only
B = Larger Segment of Postsecondary Education including Community and Junior Colleges
C = Segments of Postsecondary Education excluding Community and Junior Colleges
D = All State Governmental Bodies

Table 3b - Number of Legislative Items Proposed but Not Enacted in 1979

	STUDENTS												ACADEMIC PROGRAMS								TOTALS	
	Rights and Responsibilities				Tuition and Fees				Student Aid				Curriculum				Accreditation and Certification				Number of Topics	Number of Pieces of Legislation
	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D	A	B	C	D		
Alabama																						
Alaska																						
Arizona						2												1			19	18
Arkansas																						
California	2	1			1																29	20
Colorado																					9	7
Connecticut		2				1				1								1			12	10
Delaware																						
Florida									1				1	1							30	26
Georgia																					1	1
Hawaii																						
Idaho																						
Illinois		1							1	2											36	31
Indiana																						
Iowa																						
Kansas																						
Kentucky[1]																						
Louisiana																						
Maine																						
Maryland																					4	3
Massachusetts									1	1											6	4
Michigan		1			1	1				1											9	9
Minnesota						2				1								1			8	5
Mississippi																					4	3
Missouri													1								7	3
Montana																						
Nebraska						1				1											9	5
Nevada																						
New Hampshire[3]																						
New Jersey																						
New Mexico						1															5	3
New York	2				2	1				4				1				1			23	19
North Carolina													1								7	5
North Dakota																						
Ohio										1								1		1	4	4
Oklahoma																						
Oregon																						
Pennsylvania																						
Rhode Island																						
South Carolina																						
South Dakota[3]																						
Tennessee																						
Texas																						
Utah																						
Vermont																						
Virginia																					2	1
Washington		2				1												1			26	20
West Virginia																						
Wisconsin		2			3	1				2							2				28	25
Wyoming[2]																						
Puerto Rico[2]																						
Legislation	4	9	0	0	7	11	0	0	3	14	0	0	3	2	0	0	2	6	0	1	276	222
States	7				10				10				4				7					

[1] No Session
[2] No Report
[3] No Public Community Colleges

[4] Impact of Legislation by Types of Institutions:
A = Community and Junior Colleges Only
B = Larger Segment of Postsecondary Education including Community and Junior Colleges
C = Segments of Postsecondary Education excluding Community and Junior Colleges
D = All State Governmental Bodies

Table 3c - Number of Legislative Items Proposed But Not Enacted In 1979.

This ensures that those proposed bills receiving at least a minimum level of serious attention are properly noted.

Once the reported legislation is divided according to the type of action taken on it, each proposal is studied to determine which of the seven major areas and twenty-five subject categories it affects. The tabulation presented in Tables 2 and 3 shows graphically the results of these procedures on a state-by-state basis while Tables 4 and 5 portray the data in a national format. This is the same procedure used in each of the four previous studies.

It is important to note that the area and subject categories are intended to be mutually exclusive. Those familiar with legislative bills, however, are well aware that any one proposal may address several different topical issues. Tables 2 and 3 therefore identify the number of topics covered by the reported bills. The actual number of legislative bills reported for 1979 is less than these topic totals however. As a result, Tables 2 and 3 have two total columns to note the difference between the topics covered and the number of bills reported. To illustrate this procedure, 635 bills (413 enacted and 222 proposed) covering 802 topics (526 enacted and 276 proposed) were reported in 1979.

The final step in this categorization process involves classifying all bills, except those related to appropriations and capital funds, according to the type of institutions affected: (A) community and junior colleges only; (B) all postsecondary institutions including community and junior colleges; (C) postsecondary institutions, excluding community and junior colleges; and (D) state agencies in general. Bills affecting all four categories are reviewed for several reasons. Those bills that affect only community and junior colleges are analyzed because they are the primary focus of this study. In many states, however, community and junior colleges are an integral part of systems that include several types of postsecondary institutions. Thus, in those states, bills directed at postsecondary education in general also affect community and junior colleges. Sometimes bills concerned with postsecondary institutions other than community and junior colleges are also reviewed because they provide an indication of legislative issues that may affect community and junior colleges in the future. Finally, bills

Table 4

REVIEW OF 1979 LEGISLATION BY SEVEN MAJOR AREAS

Major Area	Legislation Enacted	Legislation Proposed	Total	Percent
Finance	186	66	252	31.4
Administration	103	75	178	22.2
Physical Facilities	35	11	46	5.7
Institutional Growth	11	4	15	1.9
Personnel	102	58	160	20.0
Students	54	48	102	12.7
Academic Programs	35	14	49	6.1
Total	526	276	802	100.0

Table 5

REVIEW OF LEGISLATION BY TWENTY-FIVE SUBJECT CATEGORIES

Subject Categories	Legislation Enacted	Legislation Proposed	Total
Appropriations	63	9	72
Capital Funds	31	10	41
Financial Procedures	92	47	139
Governing Bodies	24	19	43
Process of Policy Formation	24	21	45
Administrative Operations	19	21	40
Coordination	10	9	19
Studies and Surveys	23	3	26
Enabling Legislation	3	2	5
Building Codes	3	2	5
Construction Procedures	13	4	17
Facility Regulations	19	5	24
New Institutions	3	2	5
Institutional Expansion	3	1	4
Name Changes	2	1	3
Restrictions on Growth	3	0	3
Employee Benefits	67	22	89
Employee Rights	26	28	54
Collective Bargaining	9	8	17
Faculty Workload	0	0	0
Student Rights and Responsibilities	6	13	19
Tuition and Fees	23	18	41
Student Aid	25	17	42
Curriculum	22	5	27
Accreditation and Certification	23	9	22
TOTALS	526	276	802

that affect state governmental agencies in general are analyzed because in many states community and junior colleges are considered to be state agencies and are therefore affected by legislation that applies to all state entities. It should be noted that this last category was added just last year in an effort to report more clearly the type of legislation that is affecting community and junior colleges. The intent is to illustrate that the impact of legislation on community colleges is at least in part a product of their place within the larger postsecondary environment and, in fact, within state government in general. A more detailed examination of this issue is provided in Chapter 3 of the text.

Once the reported legislation has been completely categorized according to the several classifications noted above, the legislation in each of the twenty-five subject categories is analyzed. The concern at this point is to identify those common issues in each category that seem to be receiving attention from several states as well as single issues reported by only one state that appear to be of substantial significance and interest to community college educators. It is hoped that in this way the most important legislative developments can be identified and reported to the field. The product of this analysis is the subject of most of the text which follows this introduction.

Interpretations and Limitations of the Study

It is extremely tempting to provide broad generalizations and extensive interpretive comment about nationwide state legislative activity. The authors handle the temptation in the way this report is organized. In the first sections, only descriptive reporting is provided and little interpretation attempted. In the concluding section, however, attention is focused on questions related to the meaning and importance of the main observations made earlier concerning the magnitude of interest in various topics, as well as in the trends in legislative activity. The concluding observations are thought to be sound and generally supportable because the substantial response rate and the cooperative effort in producing this report assure virtually complete identification of action relevant to the field.

The reader should be alerted to the fact that the data reviewed in this report have certain limitations. Three seem to be particularly important. First, two of the fifty-one directors did not supply us with information. This is certainly a low non-response rate in a survey study of this kind, but any possible gap in information should not be overlooked.

A second limitation is the possibility that even in the reporting states not all legislative activity occurring was transmitted. Some states have a number of specialized staff who deal with community and junior college matters who can monitor all legislative developments, including those that only remotely affect their institutions; others do not have such staff, and find the identification of all relevant legislation more difficult. Certainly the fine cooperation of the state directors and their staffs is to be emphasized, but the limitations stated must also be noted.

The third limitation is somewhat related to the one just noted. It has to do with the nature of the information sent by the reporting states. As noted earlier, we attempt to identify relevant legislation that was either enacted or at least passed by the original committee to which it was assigned. With regard to legislation that was passed by the original committee but ultimately failed, we are highly dependent on our state contacts to make the appropriate distinction. We believe that in most cases this is done. However, due to time limitations, we have no easy way to ensure that this actually is the case. We may in fact be receiving some bills that were simply introduced even though they did not pass out of their original committees. In other cases, we may be receiving only the enacted legislation and not the appropriate proposed legislation. These potential discrepancies may mean that the numbers of legislative items we are reporting may not perfectly reflect the real world. Nonetheless, the number of legislative items reported are believed to be generally accurate and therefore validly useful as indicators of the amount of relevant legislation on topics that in 1979 captured the main interests of the state legislatures in the nation.

II

TOPICAL ANALYSES OF STATE LEGISLATION

This section of the report attempts to summarize and review the legislation in each of the seven major areas of analysis established for this report: finance, administration, physical facilities, institutional growth, personnel, students, and academic programs. Abstracts of the actual bills and laws reported appear in Appendix A. Readers interested in obtaining more detailed information or in seeing the entire legislative language of an act or proposal are encouraged to contact the authors or the state director of community and junior colleges in the appropriate state.

Two explanatory comments are necessary before moving to the review of the legislation. The first relates to the format used in the text of the report to identify specific legislative items (abstracts). Whenever a bill is discussed, an identification number accompanies it (e.g. 5-12). This number identifies the state and bill numbers used to organize the legislative abstracts in Appendix A; the first number indicates the state and the second number identifies the bill. In order to review the abstract of a bill identified in the text, simply use the identification number noted to find the legislative abstract in Appendix A.

The second explanatory comment relates to the writing style used in the body of the report. As noted earlier, this study is based on enacted and proposed legislation. Consequently, when common themes in the legislation are identified, they are developed from enacted and proposed legislation. In the discussion that follows both types of legislation will be mentioned. An attempt has been made in the text to distinguish enacted from proposed legislation for the reader by the use of different verb tenses. Whenever the discussion is about enacted legislation, the simple present or past tense will be used. For example, the sentence might state that a particular bill "allows," "permits," "requires," or "allowed," "permitted," "required," a particular entity to do something. Whenever proposed legislation is discussed, the conditional perfect tense will be used. For example, the sentence might state that a particular bill "would have permited," "would have allowed," or "would have required" a particular entity to do something. The differential use of the verb tenses should serve as a cue to the reader with regard to the type of legislation, enacted or proposed, that is being discussed at the particular time.

Area 1: Finance

The 1979 reported state legislation clearly indicates that state legislatures are primarily concerned with one major issue--FINANCE. What activities the state is willing to fund and how it is going to fund them are perplexing matters that almost every state legislature is addressing. Community colleges are being affected in two ways. One way is through legislation that deals with state revenues and expenditures in general while the other way is through legislation that addresses the financing of community colleges and postsecondary education in particular. Certainly the extensive attention to financial matters is not new. State legislatures must deal with them every year. It is apparent, however, that in 1979 finance clearly overshadowed all other issues.

In each of the first three annual studies of state legislation affecting community and junior colleges, the most prevalent type of legislation reported addressed administrative matters with financial legislation running a close second. This trend began to change in 1978 when more financial than administrative bills were reported for the first time (205 pieces compared to 136). The 1979 legislation continued to follow this new trend with 252 financial-related bills being reported compared to 178 administrative bills. There no doubt are numerous factors contributing to this development including state legislatures specific concerns with the financing of postsecondary education. The nationwide economic concerns and the desire on the part of many state legislatures to provide relief for taxpayers, especially in the wake of California's Proposition 13, also seem to be primary contributors to the new development though. What follows is not an attempt to identify causes, however, but rather an attempt to identify the important actions state legislatures are taking with regard to the financing of community colleges.

The 252 financial bills reported are distributed among three subject categories: appropriations for operation, capital funds, and financial procedures. A summary of the bills reported in each category follows.

Appropriations for Operations

The legislation in this category can be classified into three separate groups: bills strictly related to general operating expenses, bills designed to appropriate funds for special projects, and bills providing for changes in funding formulas. A considerable amount of the legislation in this category, however, deals with the first of these groups--general state appropriations for community and junior colleges. Thirty-five states provided specific appropriation amounts for 1978-79. Table 6 lists all those states reporting 1979-80 appropriation figures and provides a comparison with the appropriation figures reported for 1976-77, 1977-78, and 1978-79.

An explanatory comment is needed at this point before Table 6 is reviewed. A comparison of the figures in Table 6 with those in the same tables in previous state legislative studies would indicate that occasionally a few of the figures will be different from year to year. There are two potential reasons for this. The first is that the wrong appropriation figure is sometimes supplied and the second is that we sometimes identify the wrong appropriation amount from the data supplied. When this type of error occurs, the state respondent informs us of the error and the appropriate correction is made in the following year's legislative report. There only have been a limited number of such errors in the past however, and we are confident that all the figures in the present table are correct.

Table 6 indicates that most state legislatures continued to provide increased appropriations in absolute dollars to community and junior colleges for 1979-80. There is a considerable variation in the percentage increase among the states that should be noted, however. Arkansas, Nevada, and New Mexico reported increases of over twenty percent. Eight states--Florida, Indiana, Iowa, Michigan, Minnesota, Oklahoma, South Carolina, and Utah--reported growths in appropriations between ten and twenty percent. The most common percentage increase in appropriations fell in the one to ten percent category.

Table 6

GENERAL APPROPRIATIONS FOR COMMUNITY AND JUNIOR COLLEGES 1976-77, 1977-78, 1978-79, 1979-80

	1976-1977		1977-1978		1978-1979		1979-1980	
State	Appropriation	Percent Change	Appropriation	Percent Change	Appropriation	Percent Change	Appropriation	Percent Change
Alabama*+	$ 29,000,000	2.0	$ 33,050,000	14.0	$ 40,000,859	21.0	$ 39,550,000	-1.1
Alaska	12,848,200	---	13,896,200	8.2				
Arizona*+	34,513,471	15.9	39,538,000	14.6	38,352,500	-3.0	38,152,600	-.5
Arkansas*+	9,913,862	20.1	10,650,837	7.4	11,923,939	12.0	14,661,906	23.0
California								
Colorado				---	45,670,628		44,320,039	-3.0
Connecticut+	21,760,000	6.5	24,364,000	12.0	27,163,819	11.5	27,085,800	- .3
Delaware*+	9,505,125	---	10,597,522	15.3	14,736,500	39.1	15,800,000	7.2
Florida*+	161,582,230	8.4	179,314,348	11.0	192,078,563	7.1	220,852,341	15.0
Georgia								
Hawaii*+	18,654,648	---	21,418,127	14.8	20,845,098	-2.7	21,817,247	4.7
Idaho*+	2,788,100	12.5	3,176,400	13.9	3,464,800	9.1	3,464,800	0.0
Illinois*+	113,391,000	17.3	115,215,400	1.6	119,772,300	4.0	128,319,000	7.1
Indiana			4,749,206	---	5,505,932	15.9	6,423,343	16.7
Iowa*+	29,800,000	---	32,714,100	9.8	37,300,000	14.0	42,168,500	13.1
Kansas					16,200,000			
Kentucky								
Louisiana								
Maine								
Maryland*+	38,157,454	3.2	46,162,488	21.0	47,765,233	3.5	45,333,876	-5.1
Massachusetts*+	43,536,400	9.1	45,378,117	4.2	52,939,703	16.7	56,257,686	6.3
Michigan			110,175,533	---	122,000,000	10.7	134,646,606	10.4
Minnesota			29,358,615	---	30,962,847	5.5	36,150,000	16.8
Mississippi*+	20,380,769	.7	24,700,000	21.2	29,000,000	17.4	31,317,000	8.0
Missouri*+	23,947,760	29.0	27,600,000	15.3	28,366,378	2.8	28,366,378	0.0
Montana							1,940,090	
Nebraska					15,056,000	---	16,078,654	6.8
Nevada+	6,337,248	19.2	6,772,774	6.9	7,469,822	10.3	8,980,220	20.2
New Hampshire								

Table 6 (Continued)

GENERAL APPROPRIATIONS FOR COMMUNITY AND JUNIOR COLLEGES 1976-77, 1977-78, 1978-79, 1979-80

	1976-1977		1977-1978		1978-1979		1979-1980	
State	Appropriation	Percent Change	Appropriation	Percent Change	Appropriation	Percent Change	Appropriation	Percent Change
New Jersey	31,877,400	6.3	47,950,000	41.5	47,950,000	0.0		
New Mexico+	5,076,300	11.2	6,208,800	22.3	7,043,400	13.4	8,465,700	20.2
New York	89,432,744	5.7	94,456,000	5.6	104,984,000	11.1		
North Carolina			108,155,816	---	139,335,006	28.8	142,117,715	2.0
North Dakota			3,636,241	---			4,727,113	30.0
Ohio			35,188,280	---	39,257,327	11.6	45,646,022	16.3
Oklahoma	23,086,584	---	27,772,803	20.3	32,797,195	18.1		
Oregon*+	34,684,425	15.9	41,220,570	18.8	46,503,940	12.8	47,076,107	1.2
Pennsylvania+	44,892,000	---	46,651,000	3.9	47,988,000	2.9	49,206,000	2.5
Rhode Island*+	12,470,576	34.3	13,459,758	7.9	14,189,983	5.4	15,007,000	5.8
South Carolina*+	28,102,830	-.8	34,100,148	21.4	41,797,172	22.6	46,283,355	10.7
South Dakota								
Tennessee+	21,879,000	22.6	24,181,000	10.5	27,577,400	14.0	29,713,000	7.7
Texas*	169,764,684		203,855,711	21.3	220,358,424	7.1	239,630,022	8.8
Utah	13,145,400	---	15,761,000	19.9	24,834,700	N.C.	27,903,500	12.4
Vermont					528,500	---		
Virginia					86,776,910	---	89,645,730	3.3
Washington	106,508,940	---	137,632,934	---				
West Virginia								
Wisconsin+	38,515,200	11.6	44,676,000	16.0	51,219,638	14.6	53,717,700	4.9
Wyoming	17,360,000	---			28,000,000	38.0		
Puerto Rico								
Average Increase (All States)		12.5		14.8		12.4		8.2
Average Increase for States with Data For Last 4 years		13.3		12.4		10.8		6.8
Average Increase for States with Data for Last 3 years				13.3		11.1		6.9

*States supplying appropriation data for each of the last four years.
+States supplying appropriation data for each of the last three years.

Fourteen states reported such increases. They were Delaware, Hawaii, Illinois, Massachusetts, Mississippi, Nebraska, North Carolina, Oregon, Pennsylvania, Rhode Island, Tennessee, Texas, Virginia, and Wisconsin. Two states, Idaho and Missouri, reported no change in appropriations from 1978-79 to 1979-80. Finally, five states reported actual decreases in state appropriations for 1979-80 compared to the 1978-79 figures. They were Alabama, Arizona, Colorado, Connecticut, and Maryland. This appears to be a rather significant new development. In 1978, only two states reported actual cuts in state appropriated funds and in the years prior to that only one state had reported such a cut.

Perhaps the most important information provided by Table 6, however, is that yielded from a comparison of the appropriation growth rates over the last four years. In the 1978 state legislation report, it was noted that community college appropriation growth rates appeared to have stabilized at around 12-14 percent increases each year. Table 6 indicates that this pattern has apparently been broken, with 1979-80 being a year in which appropriation growth rates have declined from past years. This is represented by the 8.2 percent average appropriation growth increase for 1979-80 compared to 12.4 percent for 1978-79, 14.8 for percent 1977-78, and 12.5 percent for 1976-77. It is important to note here that these figures are based on gross means. That is, for each of the years, the appropriation increases for all states reporting figures were averaged. There are potential problems in calculating means in this fashion, however, because not all of the same states reported figures for each of the years. Therefore, in an attempt to overcome this problem to some extent, we also calculated average appropriation increases in two other ways: first by using only those states that had provided information in each of the last four years, and second, by using only the states that provided information in each of the last three years. The values calculated appear at the bottom of Table 6. Eighteen states supplied relevant information for each of the last four years with the average increases being 13.3 percent, 12.4 percent, and 10.8 percent, and 6.8 percent. Twenty-three states supplied information for each of the last three years. The values calculated this way for the three years, respectively, were 13.3 percent, 11.1 percent, and 6.9 percent. As can be seen, the actual values vary somewhat depending on which method of calculation was used. However, the trend is fairly consistent and this is the important point. The increase in state appropriation growth rates declined markedly in 1979-80 compared to previous years. This is true regardless of which of the three methods of calculating the averages was used. It is quite possible then that community colleges can no longer expect appropriation growth rates to increase or even to remain stable.

As noted previously, general appropriation bills were not the only ones reported in this subject category. Other bills related to appropriations are those that deal with funding formulas. Eleven states reported such proposals or enactments. Two of the most interesting bills dealing with changes in the overall funding mechanism were reported by New Jersey and North Dakota. The New Jersey proposal would have provided for a major revision in the state funding mechanism by changing it from one based on the number of full-time equivalents to one based on a percentage, not to exceed 50 percent, of the the audited and approved educational costs (30-1). The North Dakota enactment increases the state aid formula from $18.59 to $24 per week for each full-time student but only if the local board levies a tax of at least eight mills to support junior college education (34-2).

Some other bills related to funding formulas were reported but did not attempt to alter completely the overall state funding mechanism. Several states reported such bills. One was a measure enacted in Arkansas (4-7) that provides for state aid to community colleges for high school students enrolled in vocational courses. Previously, the Department of Education was solely responsible for secondary students. Two states reported relevant proposals that would have affected senior citizen program funding although both failed. One was from Florida (9-31) and would have amended the community college funding formula to permit funds to be used for non-credit life improvement programs for senior citizens. The other came from Virginia (46-8) and would have allowed senior citizens eligible for tuition free admission to be included in the computation of full-time equivalent load.

Three other appropriation related bills that were reported are particularly interesting and deserve to be mentioned here since they reflect the concern with keeping state costs down. The first is the

Missouri community college appropriation measure (25-1). The Missouri state legislature appropriated $29,637,278 for community colleges. However, the Governor reduced the appropriation without altering the funding formula that the legislative recommendation was based on. As a result, there will be a funding shortfall if projected enrollments materialize. The second measure came from Texas and also involved the Governor's veto (43-2). In that state's appropriation measure, the Governor vetoed start up funds for four community college programs or campuses as well as contingency funds for excess enrollment. Finally, the Vermont appropriation bill for state colleges permits the use of funds for the Vermont Community College. This was not originally the case though. The Vermont Community College is a statewide enterprise without walls. The original appropriation bill for state colleges contained language prohibiting the use of state funds for the community college however. The reaction to this was a ground swell of political support for the college with the result that the prohibiting clause was eliminated.

Before leaving this subject category, one other type of appropriation bill needs to be mentioned. Each year, several bills are reported that are not directly related to appropriations for operating expenses or to funding formulas, but instead are intended to appropriate funds for special programs or projects. The legislation reported in 1979 was no exception to this pattern. Three examples can be provided. SB 1444 enacted in Illinois appropriates $50,000 to be used by the Illinois Community College Board to coordinate vocational education data reporting procedures of community colleges (13-43). A Maryland enactment appropriated $50,000 to the State Board of Community Colleges to permit it to pay the out-of-county tuition differential for those students enrolled in programs that have been designated as statewide or regional and are thus only operated in one location (20-7). Finally, the North Carolina appropriation bill (33-8) provides $147,703 to plan, develop, and implement the delivery of appropriate instruction leading to a baccalaureate degree for vocational and technical instructors at community colleges.

Capital Funds

Forty-one bills affecting capital funds were reported in 1979 (31 enacted and 10 proposed). This number represents only a slight increase over the thirty-seven reported in 1978. At that time, we reported that the golden age of brick and mortar appeared to be over. The very small increase in capital fund bills in 1979 seems to indicate that our previous assessment essentially was correct. Nevertheless, state legislatures appear to be willing to provide some funds for necessary construction projects. Not all of the capital fund bills directly dealt with the appropriation of capital funds, however. Some addressed the way capital funds can be spent, others focused on the mix of funds that are to be used for capital projects, and still others dealt with future capital funding needs. Examples of the various types of capital fund bills will be provided below.

The largest number of capital fund bills dealt with the actual appropriation of capital funds either for community college systems or individual projects. Sixteen states reported such bills. Not all of them can be reported here but a few will be noted. An Arizona enactment appropriated $7,727,900 (3-11) in capital funds for community colleges; the Florida community colleges received $27,192,240 (9-22); the Hawaii appropriation was $1,369,000 (11-2); Iowa reported an appropriation of $1,600,000 for equipment replacement (SF 485); the Illinois community colleges received $13,763,000 (13-2); the Maryland appropriation was $2,000,000 (20-5); the Massachusetts community colleges received $19,000,000 although most of this amount was for construction at one community college (21-2); and the South Carolina appropriation was $11,816,000 (40-3).

Not all of the reported bills were designed to actually appropriate capital funds. Some were concerned with affecting the way the capital funds are to be used. For example, a New Mexico enactment provides that approximately six percent of the anticipated project costs are to be used for planning, designing and bidding each project (31-3). The passage of AB 147 in California permits the proceeds from the sale or lease of district property to be used for property maintenance instead of requiring that they be used for capital outlay (5-4). And an amendment to the Illinois Community College Act provides that Capital

Development Board Act funds shall be used to correct buildings defectively constructed although the fund is to be reimbursed if a district recovers damages for faulty construction (13-16).

Two states reported enactments that require some type of matching contribution before the appropriated state funds can be used for capital projects. One state reporting such a bill was Oregon. That state's appropriation bill provided $9,519,650 for community college construction but made distribution dependent on the local district providing 35 percent of the construction funds (37-33). New Mexico was the other state reporting this type of measure. The new enactment in that state requires that at least 25 percent of capital construction project costs must be derived from sources other than general fund appropriations before state capital funds can be used (31-1).

The final type of capital fund bill relates to the projection of future capital fund needs. Three states reported relevant bills. SB 5885 from New York would have created a temporary state commission on Higher Education Capital Requirements (32-23). An Illinois enactment amends the Bureau of Budget Act to require all state agencies to prepare annual long-range capital expenditure plans (13-19). And finally, a Nebraska measure provides for a study of future capital construction needs of technical community colleges beyond 1980 since the mechanism to provide these institutions with capital funds expires in 1980 (27-10).

Financial Procedures

The number of legislative bills reported in the financial procedures category has outnumbered the bills reported in any of the other twenty-four subject categories in each of the previous annual studies. The 1979 legislation was no exception in this regard. In fact, over 30 percent more "financial procedures" legislation was reported than in 1978. This continued the trend of rather sharp increases in the number of financial procedures bills reported each year since 1976. This development indicates clearly that financial matters continue to consume an increasing proportion of legislatures' time and attention.

One hundred thirty-nine bills affecting financial procedures (92 enacted and 47 proposed) were reported in 1979 compared to 99 in 1978, 88 in 1977, and 44 in 1976. Legislative action affecting community college financial procedures takes many forms. For example, some bills change the pattern of influence over financial decisions, others change budgetary procedures, and still others address basic tax policies. To permit a better conceptualization of the types of legislative activity occurring in this area, a special classification scheme was applied to the bills in question. Each was placed in one of eight subcategories according to its type of impact. This was the same procedure used in each of the last two annual studies with one modification. This year an eighth category labeled "tax structure and policies" was added to the classification scheme. The reason for this was two-fold. First, a substantial number of bills were reported in 1979 that address basic state tax policies but which could not easily be classified into one of the other subcategories. Second, the quantity of legislative attention to this matter, following closely on the heels of California's Proposition 13, seemed to indicate that this development warranted separate attention and notation to highlight its importance. The eight subcategories that were used in the 1979 analysis are listed below:

1. Legislation that addresses tax policies.
2. Legislation resulting in greater institutional flexibility.
3. Legislation resulting in less institutional flexibility but not more state control.
4. Legislation resulting in greater state control over the expenditure of funds.
5. Legislation resulting in a greater amount of funds available to institutions.
6. Legislation resulting in a decrease in available funds.
7. Legislation affecting auditing and/or accounting procedures.
8. Legislation that leads only to procedural changes in the fiscal or budgetary process.

Table 7 indicates the number of bills falling into each of these subcategories in 1979 and Table 8 provides a comparison of the data over the last four years.

Table 7

FINANCIAL LEGISLATION AFFECTING COMMUNITY AND JUNIOR COLLEGES: TYPE OF IMPACT—1979

	Legislation Enacted	Legislation Proposed	Total
Tax Structure and Policies	23	9	32
More Institutional Flexibility	14	7	21
Less Institutional Flexibility	5	3	8
More State Control	10	11	21
More Funds for Institutions	3	5	8
Less Funds	2	2	4
Auditing/Accounting	6	0	6
Procedural	25	4	29
TOTAL	88	41	129*

*Ten financial procedure bills were not classified due to inadequate information.

Table 8

FINANCIAL LEGISLATION AFFECTING COMMUNITY AND JUNIOR COLLEGES: TYPE OF IMPACT--1976, 1977, 1978, 1979

	Legislation Enacted				Legislation Proposed				Total			
	1976	1977	1978	1979	1976	1977	1978	1979	1976	1977	1978	1979
Tax Structure and Policies	--	--	--	23	--	--	--	9	--	--	--	32
More Flexibility	13	9	18	14	4	3	2	7	17	12	20	21
More State Control	4	12	7	10	2	6	3	11	6	18	10	21
Less Flexibility	--	5	9	5	--	1	5	3	--	6	14	8
More Funds	7	7	8	3	1	5	5	5	8	12	13	8
Less Funds	2	8	7	2	2	1	7	2	4	9	14	4
Auditing	7	3	2	6	2	2	2	0	9	5	4	6
Procedural	--	17	18	25	0	9	6	4	--	26	24	29
TOTAL	33	61	69	88	11	27	30	41	44	88	99	129

Tables 7 and 8, and the general nature of the distribution of the financial procedures bills among the eight categories in 1979 warrant several observations before the types of bills appearing in each category are discussed in detail. First, the most striking thing about Table 7 is the fact that more bills appeared in the new "Tax Structure" category than in any of the other seven subcategories in 1979. The concern with redefining tax bases and relieving pressure on various types of taxpayers seems to be a primary concern with state legislatures during the current period of severe economic difficulties. Second, the number of bills that provide for additional state-level control in 1979 more than doubled compared to 1978. Third, the number of bills providing for more institutional flexibility increased only slightly from past years. Fourth, the number of bills providing for procedural changes in budgetary processes increased only slightly from past years but remained high compared to other categories. Finally, three categories--less flexibility, more funds, and less funds--showed a decrease in legislative attention. It should be noted, however, that the substantial decrease in the last mentioned category, less funds, is somewhat artificial. Some of the tax related bills that were classified in this category in 1978 because of their potential to reduce funds for community colleges were placed in the new "tax structure" category this year.

Each of the eight categories of financial procedures bills noted above will be addressed in more detail below.

Tax structure and policies. One of the most important developments in 1979 with regard to the financial procedures legislation was the presence of a large number of bills addressing tax structure and policy matters. In fact, thirty-two such bills from fourteen states were reported, more than in any of the other seven categories used in this analysis. It is true that many of the bills did not address community college matters directly but rather focused on altering state taxing policies which could affect state revenues and, thus indirectly, potential state financial support of community colleges. The fact that state directors reported these bills seems to indicate, however, that the proposals implemented and discussed were of concern to them and therefore deserved attention in this study.

There were several types of tax structure bills reported. Three seem to be the most important. The first type was bills designed to provide immediate tax relief. Two states reported relevant legislation here. A measure enacted in Mississippi (24-1) provides for a reduction in state income tax and in the sales tax on certain items. The result will be an immediate reduction of $40 million in the state general fund and will increase to an $83 million reduction by 1982. Oregon reported two pertinent measures, both of which were enacted. One provides for a refunding of 9 percent of the state income tax paid by taxpayers in 1978 (37-3). The other permits taxpayers to exempt $1000 instead of $750 when calculating their 1979 and 1980 state returns and to receive a deduction of up to $7000 instead of $5000 on taxes paid to the federal government (37-9).

A second type of tax policy bill was intended to provide tax relief to property owners. There seems to be little doubt that the passage of Proposition 13 in California in 1978 was at least a contributing cause here. Three states reported relevant measures. HB 2540 was enacted in Oregon (37-8) and provides that the state will assume 30 percent of the 1979-80 and 1980-81 tax liability of residential property owners. This arrangement is only temporary but it has the potential to remain part of the Oregon tax structure since it will be placed before the voters in the May, 1980 election. Illinois reported four proposals to either reduce or eliminate ad valorem personal property taxes. One of the bills did pass. It was HB 2569 which abolishes ad valorem personal property taxes and replaces the lost revenues with an additional 4.8 percent income tax on corporations and a tax on the invested capital of payers of message, gas, and utilities taxes (13-22). Finally, a comprehensive measure to implement the Tax Relief Amendment to the State Constitution which was passed by the voters in 1978 was enacted in Texas (43-6). This measure makes numerous changes in the ad valorem tax policies. Interestingly enough, while it does provide for state replacement of funds to school districts as a result of the new policies, it does not include junior colleges in such a plan.

The third type of legislative action reported here was bills that would affect taxes at the local level. These measures were the most frequent with six states reporting relevant proposals. North Dakota reported two such measures. One increases the millage a school district may levy from eight to sixteen mills although only the first eight mills may be levied without voter approval (34-3). The other North Dakota enactment increases the state aid formula for junior colleges but only if the local board levies a tax of at least eight mills (34-2). A Nebraska enactment (27-4) limits the local levy for technical community colleges to two mills beginning on July 2, 1981 although exceptions are permitted. A resolution adopted in Illinois (13-26) provides that no law shall authorize an increase in the maximum tax rate by a special district unless approved by a three-fifths vote in each house. Finally, Arizona and Missouri reported relevant proposals which failed. The Arizona proposal (3-26) would have required community college districts to levy a minimum tax of 50 cents per one hundred dollars of assessed valuation while the Missouri proposals (25-2, 25-4) would have permitted the Kansas City and St. Louis Metropolitan Junior College Districts to levy a sales tax to replace the property tax.

The legislative action noted above clearly indicates that taxing policies at both the state and local levels are being closely scrutinized by state legislatures. The concern in many states is probably summed up best by a resolution adopted in the Nebraska legislature (27-7). It provides for a study of the financial relationship between the state and its political subdivisions in order to determine the relative burdens imposed by property, sales, and income taxes; to investigate alternative means of financing local governments; and to determine the effects of imposing a limitation on the annual growth rates of local budgets.

More flexibility. Twenty-one of the reported financial procedures bills were designed to provide institutions with increased financial flexibility. Several examples are illustrative of this type of legislative action. Two states reported measures to reduce pre-audit controls. Arkansas reported the passage of HB 821 (4-6) which exempts state agencies from state-level pre-audit reviews when purchasing items that cost less than $500, while a Connecticut proposal which failed would have provided a clearer definition of the authority of the Board of Trustees of Regional Community Colleges with regard to financial resources in order to eliminate pre-audit controls now exercised by noneducational agencies (7-12). Two other states reported changes in the way that capital funds may be used. A California enactment (5-4) provides that funds acquired through the sale or lease of community college district property may be used for maintenance costs on the authority of the local board only. Previously such funds could be used only for capital outlay except with the approval of the State Board of Governors. In a similar vein, a Kansas enactment (16-5) permits community colleges to use capital outlay funds to acquire real property for use as building sites or for educational programs. With regard to the transfer of funds, Alabama enacted a measure that permits higher education institutions to transfer funds between and among budget categories for a specified period (1-1), while the Washington state budget bill permits the State Board to transfer up to 5 percent of the program funds between categories (47-38). Two final bills worthy of attention here are a Kansas enactment (16-3) which provides a mechanism for community colleges to increase their general fund budgets as a result of increased utility costs, and a portion of the Arkansas appropriation measure which provides funds for community college summer school faculty without specifying particular faculty positions.

More state control and oversight. Twenty-one bills were classified in this category in 1979. Three states reported proposals which would have provided for more state-level control specifically over community colleges. Importantly, though, all three bills failed. One was a proposal from North Carolina, which passed the Senate but was held in the House until 1980, that would prescribe a uniform system of budgeting and fiscal control for community colleges (33-17). A proposal in the Nebraska legislature would have created a state Technical Community College Coordinating Council with budget review responsibilities over community colleges (27-12). And SB 2154 in Washington would have prohibited the use of funds generated by programs for military personnel for nonprogram related costs unless such use was approved by the state community college board (47-54). Two states reported bills that extend state control over all state agencies. One of these was a proposal from Mississippi (24-9) which failed that would have established uniform purchasing procedures for all state agencies and political subdivisions while the other was an Arkansas enactment (4-3) that requires the State Building Services agency to be the leasing agent for all state agencies. Finally, the legislatures in some states addressed the issue of state control over federal funds. The most active state in this regard was Connecticut which reported four bills although only one of them was enacted. It requires that a copy or summary of any application for federal funds, except research grant applications, be filed with the General Assembly's Office of Fiscal Analysis (7-5).

Less flexibility. Eight bills were reported that would provide for less institutional financial flexibility, slightly down from the fourteen that were reported in 1978. Two examples are illustrative. One was a portion of the North Carolina community college enabling law revision which provided that the State Board must rather than may require an election to authorize an annual tax levy to provide local financial support for an institution as a prerequisite to allowing the institution to be converted from a technical institute to a community college (33-1). The other was reported by Washington (47-53) although it failed; it would have required a community college to offer surplus property at a price of one dollar to an appropriate school district before disposing of the property in another manner if that property was subject to outstanding bonded indebtedness by the taxpayers of a common school district.

More funds. Eight bills were reported that would provide community colleges with more funds. Two examples are illustrative. Both related to the provision of additional funds for job training programs although neither passed. One came from New York (32-11) and would have permitted state aid for community college operating costs incurred while offering contract courses for purposes of serving and aiding business and industry. The other was reported by Illinois and would have directed the Department of Business and Economic Development to fund job training programs provided by higher educational institutions for new or expanding industrial firms (13-53).

Less funds. Only four bills related to reducing funds for community colleges were reported. This would appear to be a rather substantial decrease from the number of bills reported in this category last year. As noted earlier, however, this decrease is somewhat artificial since those bills affecting tax structures which were included in this category last year were moved to a new, separate category for this year's study. In any case, two bills are indicative of this type of legislative action. One is a Nebraska enactment which places a 7 percent budget increase limit on all political subdivisions of the state (27-3). The other relevant bill was reported by California and would have provided that community colleges contracting with private postsecondary institutions for vocational training would only be reimbursed for the cost of the contract plus reasonable administrative costs instead of being reimbursed full apportionments (5-30).

Audits. Six audit bills were reported this year and all of them were enacted. Two examples can be provided here. SB 695 from Tennessee requires administrative heads of state agencies or institutions audited by the comptroller to report action taken to implement recommendations made by the comptroller (42-18). And an enactment reported by Florida authorizes the Auditor General to make performance audits of all governmental entities at any time (9-7).

Procedural. Twenty-nine bills were classified in this category in 1979. It includes those bills that make only relatively minor changes in the financial procedures of community colleges. Examples of such bills are the following. HB 2122 enacted in Texas requires that rules governing the investment of local funds be adopted by all state agencies including higher education institutions (43-14). A measure enacted in Arkansas permits higher education institutions to do their payrolls locally rather than sending them to the state capital (4-5). The Kansas legislature passed and the Governor signed a bill that provides for the establishment of an adult supplementary education fund separate from the adult basic education fund in community college and school districts (16-4). Finally, a bill passed in Maryland amended previous legislation relating to credit card acceptance by postsecondary education institutions by providing that these institutions may only accept credit cards if the fee to the institutions does not exceed one percent (20-3).

Area 2: Administration

State legislation affecting the administration of community and junior colleges is second in quantity only to legislation affecting financial matters. A total of 178 bills having some administrative impact were reported in 1979. As in previous studies, these bills were distributed among six subject categories: governing bodies, the process of policy formation, administrative operations, coordination, studies and surveys, and enabling legislation.

Each of the six administration subject categories will be discussed in detail below, but before doing that some general comments about the administrative legislation may be useful. Substantially more administration related legislation was reported in 1979 compared to 1978 (178 pieces versus 136). The increased activity was not distributed evenly among the six subject categories however. The largest change occurred in the "policy formation" category where twice as many bills were reported in 1979 compared to 1978. Three of the subject categories--administrative operations, coordination, and enabling legislation--showed a slight increase in activity in 1979. The final two categories--governing bodies, and studies and surveys--received only minimal increased attention. A detailed review of the legislation appearing in each category will provide a better indication of the meaning of the administration related legislation.

Governing Bodies

Legislation affecting local and state-level governing bodies is reported in this section. It is important to note that the bills reported here are concerned with board composition, procedures, and execution and not with authority. Legislative activity affecting the authority of governing boards is discussed under the subject category "process of policy formation." Forty-three bills (24 enacted and 19 proposed) that can be classified in this subject category were reported.

A large number of bills were designed to establish new boards at either the state or local level that could directly affect community college operations. Most of these were concerned with state-level boards. Six states reported such bills although enactments only came from two states, North Carolina and Florida. The North Carolina measure created a separate State Board of Community Colleges and Technical Institutes (33-10). Prior to this, state responsibility rested with a state board that was within the Department of Education. In Florida, the new Postsecondary Education Act repealed authorization for the Community College Council and replaced it with an eleven member Community College Coordinating Board (9-16). Four states reported state board proposals which failed. Included in this group were two Nebraska proposals--one to create a state coordinating board with planning, coordination, and budget review responsibilties over community colleges (27-12) and the other to create one board to replace all existing public postsecondary boards (27-9); a California bill intended to create one super board over all of postsecondary education and to eliminate all other governing boards (5-32); a New Mexico proposal that would have reorganized all two-year colleges under a separate board instead of the Board for Education Finance (31-8); and two Colorado bills--both of which would have abolished the current State Board for Community Colleges and Occupational Education but with one bill proposing separate state boards for community colleges and occupational education (6-23), and the other bill attempting to establish a state board for vocational education and individual governing boards for the community colleges (6-19). One other relevant measure here is a major enactment reported by Montana. It provides for a complete revision of the community college governance structure by establishing individual, institutional governing boards for community colleges separate from public school boards (26-3).

Several other legislative items that deal with state boards and have the potential to affect community colleges were also reported. Two are particularly interesting. One is a Rhode Island enactment creating a state Adult Education Commission (39-2). The other came from Washington. It would have abolished the higher education personnel board and placed its responsibilities with the state system of personnel administration (47-55).

Another topic receiving attention in this "governing bodies" category is board composition and membership. Several examples are illustrative. HB 638, which was enacted in Illinois, removes the State Superintendent of Education as a member of the Illinois Community College Board and replaces that official with a gubernatorial appointment (13-10). In a somewhat related development, a measure enacted in Maryland eliminates the requirement that certain community college trustees also be members of local boards of trustees (20-6). Texas reported the passage of a bill that requires one member of the Teachers Retirement Service Board to be a representative from higher education (43-1). And finally, a Colorado proposal which failed would have provided that no higher education governing board with appointed members shall have representation of one major political party in excess of one member more than the other major political party (6-22).

One other type of legislative action related to board composition has to do with bills that provide for institutional interest group representation on boards. For example, the addition of students to postsecondary boards and the expansion of student representatives rights have received considerable attention in the last few years. Only three such bills were reported in 1979, however, and all failed. New York reported two of the bills. One would have added a nonvoting community college student representative to the State University Board of Trustees (32-17), while the other would have given student representatives on community college boards voting privileges (32-25). The other proposal came from Illinois and also would have given student board members voting privileges (13-59).

One final issue addressed by some legislation falling into this subject category is the means of selecting board members. Two examples can be provided. A major funding revision proposal in New Jersey also would have provided for changes in the local boards of trustees by requiring that two members be appointed by the Board of Higher Education (30-1). And in Nebraska, a resolution was adopted calling for a study of the election processes in special use districts, including technical community colleges, because of the low participation rates by candidates and voters (27-8).

Process of Policy Formation

Legislation in this subject category includes bills that determine who decides what and in what way at the local and state levels. In essence, the bills here deal with authority and power. Forty-five such bills (24 enacted and 21 proposed) were reported in 1979, twice as many as in 1978.

The extension of state-level control through the creation of new state boards has been the subject of state legislatures' attention in each of the last several years. Last year it was noted that state legislatures seemed to be giving less attention to the creation of new boards although some activity was reported. The legislation in 1979 again seems to be mixed, with some state board proposals reported, but only one enacted.

Bills related to the establishment of new state-level boards took four forms. Some of these bills were just noted in the previous "governing bodies" section but their potential to establish new authority relations in terms of decision making makes their mention here warranted. First, two states reported proposals for "super" boards. One is a California proposal that would have replaced all existing post-secondary boards with one board responsible for all of higher education (5-38). The other was reported by Nebraska. There, a resolution which was adopted provides for a study of the feasibility of establishing one state board over universities, state colleges, and technical community colleges (27-9). Second, one state reported a proposal to establish a new state board over community colleges. This was a Nebraska proposal that would have created a Technical Community College Coordinating Council with budget review, planning, and coordinating responsibilities over the two-year institutions (27-12). Third, three states reported bills that would separate state boards with responsibility for community colleges from other educational entities. The only such bill that passed came from North Carolina where SB 266 separates the community college board from the Department of Education (33-10). The other two proposals came from Colorado where there was an attempt to create two separate boards out of the current State Board for Community Colleges and Occupational Education (6-23), and from New Mexico where SB 447 was an attempt to organize all two-year colleges under a separate board (31-8). Fourth, one state did report a proposal to eliminate state board authority over community colleges. This was SB 356 from Colorado which would have abolished the State Board for Community Colleges and Occupational Education and established individual governing boards for the community colleges (6-19).

State-level authority can also be altered by changing the nature of a state board's responsibilities. Several states reported measures to extend state-level authority. For example, an Alabama enactment reauthorized the Alabama Commission on Higher Education and increased its scope, funds, and responsibilities (1-12). A major Florida enactment, among other things, requires the State Board of Education to prescribe minimum standards for community colleges related to conditions of employment, admissions, student activities, budgeting, information systems, and the waiver of tuition and registration fees (9-6). A North Carolina enactment requires state board approval before "captive" courses may be taught (33-1). For clarification purposes, captive courses refers to those courses offered to individuals who are institutionalized in some form such as prison inmates. HB 7832 from Connecticut failed but was intended to transfer the authority for negotiating community college collective bargaining agreements from the Board of Trustees of Regional Community Colleges to the Board of Higher Education (7-15). A proposal which was referred for further study in the Massachusetts legislature would have revised the powers of the Board of Regional Community Colleges by giving the board the power to appoint presidents and all professional staff at community colleges (21-3). Finally, it is important to note that not all bills affecting the authority of state boards were intended to extend that authority. A California enactment is of particular interest in this regard. It updates, clarifies, and streamlines provisions related to the State Community College Board of Governors by, among other things, removing certain reporting requirements imposed on community college districts and by eliminating the requirement that the Chancellor approve certain actions by community college districts (5-12).

State-level educational agencies are not the only state bodies that can have an impact on community colleges. Other state bodies also possess authority with regard to some matters. Several states reported bills that were designed to affect the authority of these noneducational state bodies. A few examples can be provided. HB 521, enacted in Arkansas, requires the State Building Services Agency to be the leasing agent for all state agencies thereby removing the leasing authority of individual state agencies (4-3). Another Arkansas enactment transfers the responsibility for college and university classified employees from the Department of Higher Education to the state personnel system (4-8). And in California, the enactment of SB 990 requires the state Advisory Council on Vocational Education to provide information and services to the legislature as directed (5-20) while another proposal would have submitted a constitutional amendment to the electorate which was designed to permit the legislature to nullify state agency regulations (5-41).

The attention given above to legislative action related to the authority of the state-level boards does not mean that local boards were neglected by state legislatures. Certainly there were not nearly as many bills addressing local boards but there were some. The most important appears to be the Montana enactment that revises the governance structure of community colleges in that state. It provides for the establishment of local community college boards separate from public school boards and shifts state authority over these local boards from the Superintendent of Public Instruction to the Board of Regents (26-3). A Florida enactment authorizes community college boards to enter into contracts with presidents and determine conditions of employment as well as requiring district boards to adopt minimum standards with regard to the following areas: the employment and dismissal of personnel, student activities and services, and the establishment and discontinuance of programs (9-6). Three additional bills related to local board authority deserve brief notation. They were reported by Florida (9-19), Illinois (13-30), and Washington (47-47) with the first two being enacted. All three provide the local board with the authority to establish certain traffic regulations on campus while the Washington proposal would have additionally permitted local boards to establish their own police forces.

Administrative Operations

The bills reported in this section are ones that deal with general managerial issues and in most cases do not have a major substantive impact on the decision-making process. Usually the concern is only with day-to-day administrative matters. At times, however, administrative procedures bills can be quite significant as will be clear from some of the bills identified below. Forty administrative procedures bills were reported in 1979 (19 enacted and 21 proposed).

Two topics that have received considerable attention in this subject category over the last few years have been open meetings regulations and freedom of information acts. The former topic continued to be the focus of a substantial amount of legislation in 1979. Seven states in fact reported relevant bills. The nature of the legislative items seems to indicate that certain technical matters about open meetings regulations are still being modified and clarified. A few examples will illustrate the point. Virginia reported an enactment that makes higher education boards specifically subject to open meetings provisions, although it does permit executive sessions when student disciplinary matters and fund-raising activities are being discussed (46-6). Two other states reported enactments that address executive sessions. One came from Washington and permits executive sessions to discuss the sale or lease of property if publicity could result in a decreased price (47-4), while the other was reported by Oregon and requires boards to keep minutes or tape record executive sessions. An additional provision of the Oregon measure is that the minutes of executive sessions need not be made public, but they can be examined by a court to determine if they should be admitted into evidence at a trial (37-11). Four other "public meetings" bills are also noteworthy. They are a Virginia enactment that redefines "meetings" of public bodies to include any informal gathering of three members of a relevant body (46-1); a New York measure that requires public announcement of meetings subject to the open meetings law (32-2); a Georgia proposal that would have subjected all officially called meetings of public agencies to open meetings provisions instead of limiting the provisions to those meetings where official actions were to be taken (10-16); and a Washington proposal that would have included student governing bodies under the open meetings act (47-44).

Freedom of information acts have been quite prevalent in past years as well but only two such bills were reported this year. Tennessee reported the passage of SB 514, which permits state employees to have access to their personnel files (42-17). This will have little impact on community colleges, however, since the Board of Regents already permits such access. The other bill, which failed, was reported by Florida. It would have permitted current and former public employees to have access to their records at any time (9-37).

One rather new topic that surfaced in 1979 in this subject category was public agency lobbying laws. Perhaps this is a reflection of the economic condition where public agencies must compete with one another and work harder for state funds. Whatever the reason, two states reported public agency lobbying bills. The Washington bill was enacted and exempts certain activities such as telephone conversations and lobbying in person by elected officials from the reporting requirements of the public agency lobbying law (47-32). The other bill came from Wisconsin and would have provided a penalty for state agency lobbying if it had passed (49-13).

Coordination

The coordination of postsecondary education is a matter that has received substantial attention from state legislatures for a number of years now. The number of relevant bills reported in this category dropped somewhat last year, but the number received in 1979 reached levels comparable to the activity of two and three years ago.

Several different types of coordinating bills were reported. First, some bills provide for coordination through the establishment of state boards. These bills have been discussed earlier so they will be only briefly mentioned here. Super boards with coordinating responsibilities for all of postsecondary education were proposed in California (5-38) and Nebraska (27-9); a state coordinating board just for community colleges was proposed in Nebraska (27-12); a similar coordinating board measure was enacted in Florida (9-16); and the Montana community college governance revision measure provides that the new local boards are to be coordinated by the Board of Regents (26-3).

A second type of bill deals with interinstitutional cooperation. Examples of this type came from Florida where community college-university consortiums were authorized (9-16), and New York where a bill vetoed by the Governor would have permitted public institutions to join private ones in regional college cooperative service boards (32-8).

Third, three states reported bills designed to coordinate the collection of information. Included in this group were an Illinois enactment appropriating $50,000 to coordinate the vocational education data reporting procedures of community colleges (13-43); an approved Mississippi measure that directs the Division of Junior Colleges to begin to develop statewide management information systems (24-7); and a Colorado proposal which would have created a new division of information systems coordination within the division of higher education (6-24).

Vocational education was a fourth issue addressed by coordination bills although no enactments were reported. Examples of this type of legislative item came from Wisconsin where AJR 64 would have provided for a study of the coordination between the University of Wisconsin system and the vocational-technical education system (49-26); from Minnesota where a proposal was intended to direct the Coordinating Board to develop regional and state plans for higher and vocational education (23-14); and from North Carolina where SB 663 would have directed the Department of Community Colleges and the Department of Public Instruction to develop a plan for cooperative vocational programs (33-16).

Finally, Washington reported two coordination bills that are noteworthy. Both were resolutions calling for studies. In somewhat of an ironic twist, one calls for a study of the amount of duplicative functions performed by the various state agencies and boards with authority over postsecondary institutions (47-36). The other calls for a comprehensive study of community colleges including the development of methods to enhance planning and coordination among these institutions (47-34).

Studies and Surveys

Twenty-six bills (23 enacted and 3 proposed) were reported that provide for various types of studies. Some of these have already been mentioned in previous sections. Included here are the Nebraska resolutions calling for studies of (1) the election processes in special use districts, (2) future capital construction needs of community colleges, and (3) the possibility of establishing one board over all postsecondary education, as well as the Washington resolutions providing for studies on (1) the amount of function duplication among agencies responsible for postsecondary education, and (2) the geographic, administrative, and decision-making structure of the present community college system. Several other studies were reported, however, and they deserve notation here.

One group of bills reported in this subject category focuses on academic program matters. For example, the Texas (43-24) and Rhode Island (39-2) legislatures enacted measures calling for comprehensive studies of adult education. Tennessee reported the passage of HJR 254 which calls for a study on the feasibility of placing all public higher education institutions on the semester system (42-11). And in Arkansas, an enacted measure provides for a study to determine the possibility of offering college level courses at vocational-technical schools (4-4).

A second type of legislative item in this category called for an examination of personnel matters. One such bill, which was enacted, came from Minnesota, and provides for a study of faculty salaries in each postsecondary system and institution (23-8). Another relevant bill came from California and would have required a study of part-time employment in community colleges (5-32).

Several noteworthy miscellaneous studies were also reported. HJR 58, which was passed in Montana, provides for a study of the funding of the Montana University System and community college districts (26-2). A measure enacted in Florida provides for a commission to study the governance, organization, and general operation of postsecondary education in the state (9-16). In Minnesota, a bill was enacted that calls for a study of possible responses by community colleges to declining enrollments (23-7). A study approved by the New

Mexico legislature will examine possible revisions in the laws pertaining to the Board of Educational Finance and the two-year colleges (31-2). Finally, a resolution adopted in Washington calls for a study of tuition and fee waiver programs to determine the number of students involved, the cost, and whether such programs should be continued (47-35).

Enabling Legislation

Only a small number of enabling legislation bills were reported in 1979. A few are particularly noteworthy, however, and will be mentioned here. The North Carolina legislature passed a major bill that revises and recodifies legislation related to community colleges. The measure had a number of provisions but two are particularly relevant to community colleges. They include a provision that no "captive" or "co-opted" courses are to be taught without prior approval of the state board and another that requires voter approval of an appropriate tax levy before an institution may be converted from a technical institute to a community college (33-1). A proposed bill, which failed in Missouri, would have changed the name of junior colleges to community-junior colleges and would have specified that these institutions are to offer programs in liberal arts and sciences, occupational education, and community services (25-3). Finally, the Florida legislature passed a new Postsecondary Education Act that revises the statutes pertaining to postsecondary education and adds some new ones. Among the multiple provisions are a statement explicitly defining the mission of community colleges and the identification of community colleges as political subdivisions of the state (9-16).

Administrative Legislation and Institutional Autonomy

The extent to which individual community and junior colleges are able to act autonomously to serve the educational needs of their local communities is an extremely important issue to most of those interested in community college affairs. State legislative developments, of course, can have a substantial impact on institutional autonomy. Not only can they place explicit restrictions on the types of actions institutions can take, but they also may establish procedural requirements that impede institutional performance. It is for this reason that an attempt was made in each of the previous annual legislative studies to gauge the impact of state legislative actions on local institutions.

The same approach was used in 1979 as in previous years to understand better the effect of legislative actions on administrative operations at the local institutional level. To do this, all bills classified in the subject categories of governing bodies, policy formation, administrative operations, and coordination were classified according to whether their effect was felt primarily at the state level, the institutional level, or at both levels. For all the bills which had the potential to have an impact at the local level, an additional two-fold distinction was made. First, the language of every relevant bill was reviewed to determine if the legislative intent was to require certain actions (mandatory) or merely to permit them (permissive). Second, the content of each bill was analyzed to determine whether the legislative action had the effect of eroding institutional autonomy, supporting institutional autonomy, or simply providing for procedural changes that did not affect institutional autonomy in any substantive way.

The analytical technique used for the 1979 legislation was the same employed in the 1977 and 1978 studies. The bills were not identified separately according to each of the five categories--mandatory, permissive, erosive, supportive, and procedural--but instead were cross-tabulated (i.e. mandatory-erosive, permissive-supportive, mandatory-procedural, etc.). The results of this process are shown graphically in Tables 9 and 10. Table 9 provides information on 1979 legislative action alone while Table 10 allows a comparison of the 1977, 1978, and 1979 tabulations.

Seventy-nine bills with a potential local impact were reported in the four administration subject categories used for this analysis. Table 9 indicates that the language of a large majority of the 1979 bills mandated rather than permitted certain actions (63 bills versus 16). In terms of content, more bills fell into the erosive category (32), with procedural a close second (28), and supportive a distant third (19).

A comparison of the tabulations for the last three years, as listed in Table 10, provides some interesting insights as well. First, the consistency with which the bills are distributed similarly among the various categories from year to year is rather striking. Second, the

Table 9

ADMINISTRATION RELATED LEGISLATION: TYPE OF IMPACT, 1979

	Mandatory Bills	Permissive Bills	Total
Erosive Bills	31	1	32
Supportive Bills	10	9	19
Procedural Bills	22	6	28
TOTAL	63	16	79

Table 10

ADMINISTRATION RELATED LEGISLATION: TYPE OF IMPACT, 1977, 1978, 1979

	Mandatory Bills			Permissive Bills			Total		
	1977	1978	1979	1977	1978	1979	1977	1978	1979
Erosive Bills	35	32	31	2	1	1	37	33	32
Supportive Bills	3	3	10	14	6	9	17	9	19
Procedural Bills	19	27	22	3	3	6	22	30	28
TOTAL	57	62	63	19	10	16	76	72	79

language of administration-related bills is predominantly of the mandatory kind. That is, state legislatures overwhelmingly tend to require that certain actions be taken when they become involved in the type of administrative legislation analyzed here. Third, the content of the bills is primarily erosive. More bills that would erode institutional autonomy are usually reported and 1979 was no exception. Fourth, the attention to procedural matters that help clarify and define institutional operations continues to receive considerable attention. Finally, one significant change in the data reported this year from that reported in 1978 occurred with regard to bills that are supportive of institutional autonomy. There was a substantial increase in these bills, primarily as a result of attention to the issue of attempting to identify community colleges as a distinctive educational entity separate from other educational structures, a matter which will be discussed in more detail below. In order to provide an indication of the type of activity occurring, examples of the bills falling within each cross-tabulated category are provided in the discussion that follows. It should be noted that some of the bills reviewed below have been mentioned previously. The repetition seems warranted, however, since the relevant bills illustrate important points concerning institutional autonomy.

Thirty-one bills were classified in the mandatory-erosive category. This type of legislation requires that certain action be taken while eroding institutional autonomy at the same time. More bills have been reported in this category than in any of the others in each of the last three years. The bills in this category can be classified into several types. First, some states reported measures that would establish new statewide boards. For example, Nebraska reported a proposal that would have created a state community college coordinating council with responsibility for planning, coordinating, and budget review of the technical community colleges (27-12), and an adopted resolution that calls for a study to determine the usefulness of establishing a single board over all postsecondary education (27-9). A similar proposal from California, which was assigned for interim study, would also replace all existing postsecondary education boards with a single super board (5-32). Second, some of these bills are intended to simply extend the authority of existing boards. For example, an Alabama enactment extends the scope and responsibilities of the Alabama Commission on Higher Education (1-12), a North Carolina measure (33-1) prohibits community colleges from offering captive courses without approval by the state board, a Florida enactment (9-6) requires the State Board of Education to prescribe minimum standards for community colleges related to curriculum development and graduation requirements among other things, and a new Arkansas law authorizes the Department of Higher Education to review and approve validation and challenge exams used by institutions in nurse training programs (4-9). Third, with regard to personnel, a Colorado enactment prohibits any state agency from filling permanent positions with temporary employees without the approval of the state personnel director (6-13), a Massachusetts proposal, which was referred for further study, would give the Board of Regional Community Colleges the power to appoint presidents and all professional staff at community colleges (21-3), and HB 951 enacted in Florida requires the State Board of Education to prescribe minimum standards for community colleges related to conditions of employment (9-6). Finally, two states reported bills to increase state-level control over leasing arrangements. One was an Arkansas measure (4-3) that requires the State Building Services Agency to be the leasing agency for all state agencies instead of allowing them to do their own leasing, while the other was a proposal from Washington which would have removed the exemption of postsecondary institutions from the requirement that the director of the department of general administration rent or lease all real estate for state agencies (47-51).

Ten bills were reported that could be classified as mandatory-supportive. This was a rather substantial increase over the three bills reported in each of the last two years. A few of these bills were of a routine nature such as the Illinois enactment which provided that traffic fines must be paid in accordance with the policy of local community college boards (13-30). A somewhat more important bill was reported by California. It removed some restrictions by eliminating certain reporting requirements imposed on community colleges and by eliminating the required approval of the Chancellor for certain acts by these institutions (5-12).

The rather dramatic increase in the number of bills in this category, however, was due to the presence of bills that are designed to separate community colleges organizationally from other educational entities. The relevant bills here were reported by six different states. The actual degree to which these bills are supportive of individual institutional autonomy is not entirely clear. However, it does seem that the official recognition of community colleges as unique educational entities, or proposals along that line, represent an important development in terms of freeing these institutions from inappropriate restrictions that might be placed on them if they are simply perceived as part of another educational segment. Two types of bills were reported here. One provides for a clearer separation between community colleges and the public schools. Four states reported such bills. For example, SB 266 enacted in North Carolina provides for the creation of a State Board of Community Colleges and Technical Institutes that is separate from the Department of Education (33-10), a Montana enactment that provides for community college governing boards separate from public school boards (26-3), a California measure that removes community colleges from existing law relating to school facilities (5-12), and a Maryland enactment that eliminates the requirement that certain members of community college boards also be members of local boards of education (20-6). A second type of bill here would have separated community colleges from other types of educational entities. For example, a New Mexico measure which failed, would have placed two-year colleges under a separate board (31-8), and two Colorado measures, both of which failed, would have abolished the State Board for Community Colleges and Occupational Education. In one case, a separate board for each of the two areas would have been established (6-23), while in the other case, a separate State Board for Vocational Education would have been established while individual governing boards for the state community colleges would have been created (6-19). However, none of the bills from New Mexico and Colorado were enacted.

Twenty-two bills were classified as mandatory-procedural. Generally, these proposals require certain action to be taken but the action does not substantially affect institutional autonomy. Three examples are illustrative. A New York enactment requires public posting of notices announcing meetings subject to the open meetings law (32-2). In Florida, HB 504 amends previous legislation to provide that a state body must meet in a building accessible to the handicapped if requested to do so forty-eight hours instead of seven days before the scheduled meeting (9-4). And in Mississippi, an enacted measure directs the Division of Junior Colleges to commence plans for a statewide management information system (24-7).

Only one bill classified as permissive-erosive was reported and it failed. It was a proposal from California (5-41) that would have altered the state constitution if approved by the electorate, so that the legislature could nullify state agency rules.

Nine bills were reported that were classified as permissive-supportive. A few examples may be useful. A Florida enactment allows local boards to adopt their own traffic regulations (9-19), while a Washington proposal would have allowed the same type of action in that state as well as permitting boards to establish their own police forces (47-47). A New York proposal, which was vetoed by the governor, would have permitted public postsecondary institutions to join private ones in regional cooperatives to deliver education services (32-8). Finally, a Florida enactment permits community college boards to furnish the president with an auto or an allowance in lieu of the auto (9-6).

The last category is permissive-procedural. Proposals included in this category permit certain actions but in general have no substantive impact on policy. Six 1979 bills were classified in this category. Two examples can be provided. One is a proposal from Arizona which would have increased the size of two community college boards if approved by the electorate (3-25). The other relevant example came from Florida (9-43). It would have permitted all government agencies to indemnify its officers and employees against liability and to pay any judgments against them.

The above analysis of the bills affecting local institutional administrative operations indicates that there were two significant developments in 1979. The first is that, like in previous years, state legislatures focused most of their attention on mandatory-erosive and mandatory-procedural matters. This seems to indicate that local control continues to be somewhat undermined either by legislative actions that directly erode institutional autonomy or through actions that impose additional procedural regulations. This interpretation should be viewed cautiously, however, because of the fact that the analysis was based primarily on a numerical review that could not take into account the differential qualitative impact of the legislation, and because a number of the attempts to establish or extend state-level control were in fact defeated or assigned to committees for further study. Thus while pressure continues to be exerted from some sources to extend state control, there appears to be at least some attempt to respond cautiously in moving in this direction. The second significant development that appeared in this portion of the 1979 legislation was the presence of a substantial number of bills designed to identify community colleges as a separate educational entity. It is not entirely clear to what extent such legislation will enhance institutional autonomy, but the measures do acknowledge the uniqueness of the community colleges and could thereby contribute to increased institutional autonomy.

Area 3: Physical Facilities

Forty-six bills affecting community college physical facilities were reported in 1979. This number was considerably larger than the twenty-nine reported last year but quite similar to the number reported in 1977. There were several different types of bills under each of the subject categories including proposals affecting handicapped access, contract bids, smoking regulations, and the renting of facilities. Several bills related to energy conservation were reported although like in 1978, the number was not nearly as great as might have been expected given the energy problems facing the nation.

The bills in this category are divided into three subject categories: building codes, construction procedures, and facility regulations. Each of these categories will be discussed in more detail below.

Building Codes

Five bills were reported that affect building codes. Three examples can be provided. HB 2209 enacted in Arizona provides that all public buildings with more than one floor must be equipped with an elevator (3-5). A proposal introduced in Florida would have provided that public buildings provide an adequate number of windows for natural ventilation (9-30).

Construction Procedures

Seventeen bills were reported that affect construction procedures. Several different types of bills are relevant. One type has to do with energy conservation. Four states reported pertinent enactments. In Colorado, SB 20 requires state agencies to compare three rather than two energy use systems, including one solar system, when preparing construction proposals (6-9). A Tennessee enactment provides that the state energy conservation code shall apply to all new state construction (42-15). A measure that provides for state loans to local government entities to finance energy conservation projects passed in California (5-7). And in Arizona, HB 2093 requires that consideration be given to various solar design systems in new state buildings (3-2).

Another type of construction procedure bill pertains to bids for construction projects. Two states reported relevant enactments here. One was from Montana. It is part of the community college governance revision law and provides that no bids are required for construction under $5,000, three informal bids are required for construction between $5,000-$25,000, and the formal bids must be requested for projects over $25,000 (26-3). The other measure came from North Carolina and increases the threshold for competitive bidding for construction projects from $10,000 to $30,000 (33-7).

Three other bills deserve comment here. One was from Washington and moves community colleges to the same public works statute that applies to four-year colleges. Previously, they were under the statute applicable to K-12 districts (47-23). The second was a Connecticut enactment providing that all state agencies must annually submit long-range facility-projection needs for a minimum of five rather than three years (7-4). The third one came from Florida. It would have required that multi-purpose community use facilities be considered in the development of specifications for any new community college building had it passed (9-46).

Facility Regulations

Twenty-four bills (19 enacted and 5 proposed) were classified as part of the facility regulations category. This was the largest number of bills reported in any of the three subject categories under Physical Facilities. The bills reported here can be separated into several groups for discussion purposes. For example, one group of bills pertains to the renting of community college facilities. Massachusetts reported such a bill. If passed, it would have authorized the Regional Community College Board to establish a schedule of rents to be used by community colleges when renting college facilities to nonprofit community groups (21-6). Perhaps indicative of expected enrollment decreases at several educational levels, the Iowa legislature enacted a measure that permits boards of directors to lease a portion of a school building even though part of the building is still being used for school purposes (15-2). And Washington reported a proposal that would have eliminated postsecondary education institutions' exemption from the requirement that the director of the department of general administration must do all the renting or leasing of real estate for state agencies (47-5).

A second group of bills in this category deals with facility regulations concerning the handicapped. A Tennessee enactment requires that all public entertainment facilities be adequately equipped for people in wheelchairs (42-19). A measure passed by the Arizona legislature requires all public buildings with over one story to have an elevator (3-5).

Finally, two states reported bills to regulate smoking in public facilities. One of them passed. It was an Oregon bill that bans smoking at all public meetings (37-7). Wisconsin reported a similar bill that failed to receive legislative approval (49-2).

Area 4: Institutional Growth

The decade of the sixties was the era of growth for postsecondary education in general and community and junior colleges in particular. The amount of growth since that time has been severely limited. This state of affairs characterized the legislation reported in 1979 as well.

There were some interesting "institutional growth" pieces reported this year, however, and they will be noted below.

New Institutions

Five bills related to the development of new institutions were reported. Three examples can be provided. HB 1331 enacted in North Carolina provides for the establishment and funding of a new technical institute which will be part of the community college system (33-5). Georgia reported the enactment of a measure that establishes a higher education authority in one county and authorizes the authority to levy taxes to establish a local college. This measure is contingent, however, on voter approval of a constitutional amendment to allow the General Assembly to establish a county authority (10-12). Finally, a proposal vetoed by the Governor of Washington would have created a new community college district by dividing an existing district into two (47-43).

Institutional Expansion

Four relevant bills were reported here. One came from New York and provides additional aid to renovate a building which will serve as the new Erie County Community College City Campus (32-1). A part of the Tennessee state budget bill directs the State Building Commission to begin plans for two community college branch campuses (42-8). An Ohio bill that was enacted provides for technical college district expansion by permitting the boards of school districts that border technical college districts to request inclusion (35-3).

Name Changes

Two states reported bills designed to change the name of two-year institutions. In both cases, the name change appears to be tied to a change of function. North Carolina reported one of the bills which would change the name of a technical institute to community college and change its function to that of a comprehensive community college at the same time (33-13). The other bill came from Missouri. It did not pass but would have changed the name of the two-year institutions from junior colleges to community-junior colleges, and at the same time would have specified that these institutions were to offer programs in liberal arts and sciences, occupational education, and community services (25-3).

Restrictions on Growth

In the last few years, the legislative focus has been more on restricting growth than encouraging it. There were not many bills dealing with restrictions in 1979 but there were a few. For example, a Minnesota measure directs the state coordinating board and the state board for community colleges to study potential responses community colleges might make to a projected decline in enrollments. Among the alternatives to be examined are the following: the elimination or reduction of certain programs; the consolidation of community colleges, the possibility of closing some institutions, and the merger of community colleges with other postsecondary institutions (23-7). Another relevant measure was reported by Tennessee. It prohibits the University of Tennessee Board of Trustees and the State Board of Regents from acquiring private institutions (42-7).

Area 5: Personnel

Personnel matters have attracted substantial attention from state legislatures over the last few years. In fact, in each of the last two annual studies, almost twenty percent of the reported legislation was personnel oriented and 1979 was no exception in this regard. One hundred sixty bills, or 20.0 percent of all the legislation, addressed personnel issues.

The reported personnel bills in earlier reports have been divided into four categories: employee benefits, employee rights, collective bargaining, and faculty workload. Only the first three subject categories will be reviewed below, however, since for the second consecutive year no "faculty workload" bills were reported

Employee Benefits

Eighty-nine of the 160 personnel bills affected employee benefits. Several different kinds of "employee benefits" bills can be identified. The largest number, by far however, dealt with retirement issues--fifty-four of the eighty-nine bills. These bills covered a broad range of retirement issues.

For example, some states reported bills that affect current retirement provisions. Included here are an Iowa enactment that increases the percentage of the five-year average salary used to calculate benefits from 44 to 46 percent (15-7); an Illinois enactment that provides for an automatic 3 percent annual increase in pensions (13-9); and another enactment from Illinois that allows employee contributions to the retirement system to be paid by the employer and treated as employer contributions for Internal Revenue Service purposes (13-11).

Some of the reported retirement bills affect persons who are already retired. Noteworthy bills here are the following: a bill enacted in Florida authorizes community colleges to permit retired personnel to remain under the state agency's group insurance policies (9-2); a Tennessee measure, which passed, allows retirees of public higher education institutions to accept employment with the institutions without a loss of retirement benefits (42-5); and an Arizona enactment permits political subdivisions of the state to provide group health and accident coverage for their retired employees (3-4).

A number of states reported bills that provide retirement service credit to employees for service performed prior to joining the current retirement system. For example, the Alabama legislature enacted a measure that allows the granting of up to five years of creditable service in the Teachers' Retirement System for work performed in education or public employment in other states (1-2). Other states reporting bills addressing similar matters included Illinois (13-5), Georgia (10-4), Washington (4-41), Rhode Island (39-6), and Florida (9-29).

New state laws increasing the mandatory retirement age from sixty-five to seventy or eliminating the specification of a compulsory retirement age completely were quite prevalent this year. Among the states reporting such enactments were Colorado (6-1), California (5-8), Arkansas (4-1), Washington (47-30), Indiana (14-2), Oregon (37-17), and Illinois (13-7). One pertinent bill here that had a slightly different provision was reported by Tennessee. It eliminates the mandatory retirement age for state employees but exempts higher education institutions and thus allows them to continue to retire employees at age sixty-five (42-2).

Of all the retirement bills reported, perhaps the most important one came from Maryland. Increasingly concerned with the amount of retirement benefits paid by the state, the Maryland state legislature passed and the Governor signed a measure that ultimately will reduce the state's outlay for retirement in half. This will be accomplished by reducing directly the amount the state will pay, by putting a cap on the cost-of-living adjustments, and by integrating the state pension system with the social security program thereby guaranteeing a set dollar amount in retirement benefits to an individual (20-1).

The above discussion is not meant to convey the impression that bills related to "employee benefits" only dealt with retirement issues. There is a substantial amount of legislative activity related to other issues as well. One such issue was salaries. For example, the North Carolina (33-8) and Tennessee (42-8) state appropriation bills provide for 5 percent salary increases for community college personnel with the Tennessee measure appropriating additional funds to increase the faculty salaries above the 5 percent level at some higher education institutions, including nine community colleges. Arkansas (4-12), Mississippi (24-6), and Alabama (1-8) reported 7 percent salary increases. An interesting measure enacted in Tennessee established a longevity pay plan for state employees but specifically excludes higher education faculty (42-4).

Several states reported bills related to fringe benefits. The Florida and Washington legislatures, for example, enacted particularly interesting measures related to sick leave plans. The Florida enactment provides for a sick leave pool for community college full-time employees to which individuals may voluntarily contribute sick leave. The sick leave pool will be available to all members of the pool once they deplete their own sick leave time (9-25). The Washington enactment allows state employees to receive one day's pay for four sick leave days once their total of sick leave days exceeds sixty (47-24). Several health insurance bills also were reported. Examples are a Tennessee enactment that permits state agencies to pay 60 percent of state employees' group insurance plan premium (42-22), and a Florida measure authorizing state bodies to provide health, accident, and hospitalization insurance for employees' dependents (9-24).

Several miscellaneous employee benefits bills were reported that deserve notation here. The Oregon legislature enacted one measure that makes Comprehensive Employment and Training Act employees ineligible for unemployment compensation (37-18) and another bill that adds community colleges to the list of educational institutions eligible to have their employees participate in tax-sheltered annuity contracts (37-5). AB302 enacted in Florida authorizes community college boards to give awards up to $2,000 to employees who propose ideas that lead to a reduction in expenditures (9-1). And finally, a California proposal which failed would have provided for pro-rata benefits for some part-time employees (5-32).

Employee Rights and Regulations

State legislatures have given considerable attention in recent years to issues relating to the rights of public employees and regulations that affect them. This was true again in 1979. More bills were reported in this category this year than in any other. Illustrations of the kinds of issues being addressed will be discussed below.

One issue that received attention from four state legislatures was tenure. A measure that was enacted over the Illinois Governor's veto amends the Community College Act by providing for faculty tenure after they have served three consecutive probationary years (13-28). A Colorado enactment provides that no teacher over age seventy can be given or retain tenure (6-6). Two relevant bills that failed include a New York proposal that would have required specific reasons to be given to instructional staff who are denied tenure or promotion (32-15), and a proposal from Washington that would have increased the probationary period before tenure could be awarded to community college faculty from three to five years (47-48).

Due process procedures were once again the focus of some legislative attention in 1979. It is interesting, however, that all the relevant bills failed to be passed. Examples of pertinent bills include a Colorado proposal that would have rewritten the provisions relating to the termination of higher education faculty under certain conditions including times when a reduction in force is necessary (6-20); a bill introduced in the Illinois legislature that would have required a hearing for any community college teacher dismissed for cause with two or more years experience (13-50); and another Illinois proposal that would have required that employee dismissals be based on motions of a majority of the board members (13-51).

Two states reported enactments that specify financial disclosure requirements for public officials. Mississippi was one of the states. There SB2425 includes junior college presidents and members of the Junior College Commission under the financial disclosure requirements (24-3). The other enactment was reported by Virginia. That state's relevant measure expands the definition of public official to include members of executive branch collegial bodies created by the General Assembly among those required to provide an annual disclosure of financial interests (46-3).

Four states reported bills designed to extend liability protection to certain state employees. One example of this type of measure came from Maryland. There, the passage of SB312 extends liability protection to community college employees and board of trustees members (20-4). Community College representatives from Maryland believe this is a significant development since it provides a necessary protection for individuals who perform an important service to community colleges--namely, board of trustees members. Two other states reporting the enactment of bills providing liability protection for all state employees were Texas (43-7) and Florida (9-18).

A final issue in this subject category has to do with state personnel systems. Representatives of postsecondary education institutions long have argued that their unique needs and functions require that their personnel not be included in standardized state personnel systems. In the past, some postsecondary education representatives have successfully argued their case and others have not. Three states reported bills in 1979 that address this matter. Arkansas reported two enactments. One requires that classified employees of higher education institutions be included under the state's uniform Attendance and Leave Policy (4-11). The other transfers responsibility for higher education classified employees from the Department of Higher Education to the state personnel system (4-8). SB2188 failed in Washington but was intended to abolish the higher education personnel board and system, and place their responsibilities with the state system of personnel administration (47-55). Finally, a Mississippi proposal to establish a state personnel system but which would have excluded university and junior college employees failed (24-10).

Collective Bargaining

The volume of collective bargaining bills acted upon by state legislatures in 1979 was similar to the volume reported in the last two years. Eighteen relevant bills (10 enacted and 8 proposed) were reported. Perhaps the most important point about these bills was that only one of them--an Arizona proposal (3-15)--would have provided for the establishment of collective bargaining, unlike 1978 when seven states reported collective bargaining authorization legislation.

The other collective bargaining bills reported were designed to make changes in existing legislation. Two states reported bills that authorize collective bargaining agreements to override conflicting state provisions. For example, Iowa reported the enactment of SF499 which removes conflicts with collective bargaining agreements from the Iowa Code but which also requires that no future collective bargaining agreements may conflict with the Code (15-8). A somewhat similar bill was reported by Washington although it failed. It would have provided that collective bargaining agreements shall override any conflicting provisions of the higher education personnel board (47-49).

Several states reported legislation dealing with the nature of the bargaining unit. Three examples can be provided. HB1493 enacted in Florida slightly expands the definition of managerial personnel for collective bargaining purposes (9-10). A California enactment removes state managerial employees from coverage under the State Employer-Employee Relations Act (5-15). And a Nebraska proposal, which failed, would have provided that the bargaining unit for postsecondary institutions must be systemwide or coextensive with the governing board. This proposal also would have prohibited faculty and nonfaculty from being members of the same bargaining unit and excluded department heads from bargaining units (27-11).

Two other collective bargaining bills deserve notation here. SB5571 enacted in New York extends authorization for agency shop fee deductions for two additional years (32-5). And the Connecticut legislature enacted a measure providing that collective bargaining contracts that expire will remain in force until a new one is approved (7-3).

Area 6: Students

One hundred two bills (54 enacted and 48 proposed) relating to students and student affairs were reported in 1979. This volume of student legislation is similar to that reported in the last two annual studies. These bills are classified into three subject categories: student rights, responsibilities, and regulations; tuition and fees; and student aid. Bills identified with each subject category will be discussed below.

Student Rights, Responsibilities, and Regulations

The student activism of the recent past led state legislatures to pass laws that gave students a greater voice in institutional matters that affected them. Some of this type of legislation was reported again in 1979, but it was not nearly as prevalent as in previous studies. For example, only two state legislatures dealt with bills that affect student membership on governing boards and neither state legislature passed the bills. Two relevant proposals came from New York where one would have added a community college student representative to the State University Board of Trustees (32-17) and another would have given full voting privileges to student representatives on community college governing boards (32-25). Two states also reported bills that would affect control over student activity fees, but these proposals also failed. One of these bills was from Washington and was designed to increase substantially student participation in the development of programs funded by services and activities fees. Although the state legislature passed the measure, the Governor vetoed it (47-40). Connecticut reported the other proposal. It would have completely eliminated the requirement that at least 40 percent of the student body must participate in a referendum to determine whether a student government could be given complete control over student activity fees (7-11).

There were some other interesting bills reported that would affect student rights and regulations. Several examples can be provided. An Illinois enactment excludes students employed by a college from unemployment compensation coverage (13-37). A Wisconsin proposal would have permitted full-time students who are employed to refuse to join a labor organization (49-14). A significant New York enactment provides for the disclosure of the contents and scores of certain standardized tests (32-4). And a Connecticut proposal, which failed, would have guaranteed community college graduates admission to the junior year at a state college or university in a program for which they prepared (7-13).

Tuition and Fees

Forty-one tuition and fee bills were reported in 1979. These bills can be grouped into several categories. Over one-third of the reported bills dealt with the waiver of tuition and fees however. Several examples can be provided. Four states--Maryland (20-21), Michigan (22-8), New York (32-16, 32-20), and Florida (9-16)--submitted bills that would provide tuition waivers for senior citizens with the Maryland and Florida measures being enacted. Arizona (3-6), Connecticut (7-8), and Minnesota (23-12, 23-13) reported bills that waive or reduce fees for former or current military personnel. Two states, Michigan (22-9) and Wisconsin (49-4), submitted bills that would have eliminated some or all tuition for undergraduate education although both proposals failed. Finally, the Washington legislature enacted three relevant bills. The first permits the waiver of tuition for full-time faculty and nonfaculty employees provided there is space available in the desired classes (47-7). The second requires community colleges to waive tuition and fees for all students over nineteen years old who enroll in high school completion and GED programs (47-9). And the third provides for a study of the tuition and fee waiver programs to determine such things as the number of students participating, the costs involved, and whether such programs should be continued (47-35).

Another issue in this category receiving considerable attention in 1979 was residency status and requirements. Eight states reported twelve relevant bills. Illustrative are the following. A Kansas enactment prohibits a community college from charging out-district tuition to a county when the student involved is a state employee enrolled under special conditions (16-5). AB1173 enacted in California provides that a public agency peace officer enrolled in police academy training at a community college may be classified as a resident (5-10). A measure enacted in Arizona provides that a dependent of an armed forces member is to be considered a resident of the state (3-10). And a South Carolina enactment gives resident status to a student who has lived in the state for three years prior to his enrollment even if his parents have moved to another state (40-5).

Colorado and Washington reported bills providing for reciprocal tuition agreements. The Colorado enactment establishes an undergraduate fellowship program to provide reciprocal tuition agreements with other states (6-11). The Washington enactment waives nonresident tuition for Oregon residents attending certain Washington colleges if the Oregon legislature provides a similar arrangement for Washington residents (47-3).

Several miscellaneous tuition bills are also noteworthy. SB638, enacted by the Texas legislature, prohibits charging students student services fees at two different institutions in the same district (43-21). A Colorado enactment requires that tuition for students enrolled in nonsecondary curriculum at area vocational shcools be uniform for any group classification (6-15). And finally, the only bill providing for increased tuition, a Washington proposal, failed (47-39).

Student Aid

Forty-two state student aid bills were reported in 1979 (25 enacted and 17 proposed). This is approximately the same number submitted in 1978. Unlike last year, however, only one state reported a major bill that establishes a state student aid program. This was Colorado where the legislature passed a measure providing for a comprehensive student aid program (6-11). Perhaps this reflects the fact that state aid programs are already in operation in most states. State aid bills addressing several other matters were reported though. A few of them will be noted below.

Several states reported bills that alter student aid eligibility requirements. Some of these are particularly important for community colleges given the nature of the clientele they serve. A New York proposal would have included part-time students in the Tuition Assistance Program (32-12). HB6539, reported by Connecticut, would have extended the state scholarship program to any student based on need and ability rather than limiting it to individuals who are attending a postsecondary institution for the first time (7-14). An enacted Indiana measure includes a provision eliminating the requirement that a state scholarship recipient must be under twenty-four years old (14-3). And a Minnesota enactment eliminates the requirement that students must be under twenty-one to receive assistance under the AVTI Tuition Subsidy Program (23-4).

Two other eligibility bills are also noteworthy. One reported by Virginia repeals the prohibition on tuition remission scholarships for out-of-state students (46-4). The other was reported by Kansas and limits tuition grants to students who attend only those accredited independent institutions whose main campus is located in Kansas (16-6).

Three states reported bills that would provide tax credits or tax deductions for postsecondary education expenses although all the proposals failed. A Michigan proposal would have provided a tax credit for 25 percent of tuition costs (22-10), while Minnesota (23-11) and New York (32-9, 32-10) proposals would have provided tax deductions.

A final group of bills in this category provides aid for specific groups. Several states, for example, reported bills designed to aid current or former military personnel. Among the relevant bills reported here were enactments from Illinois (13-2), Indiana (14-6) and Washington (46-5, 47-33), as well as a proposal from Wisconsin (49-16).

Area 7:
Academic Programs

Forty-nine bills affecting academic programs were reported in 1979. This is approximately the same number reported in each of the last two legislative studies. Bills affecting academic programs are divided into two subject categories: (1) curriculum, and (2) certification and accreditation. Examples of legislative proposals falling into both categories are discussed below.

Curriculum

The bills reported in this subject category affect several different types of programs. First, the issue receiving the most attention was vocational education. Several examples can be presented. One Arkansas enactment appropriates funds to community colleges for high school students taking vocational education courses at these institutions thereby legitimating such an arrangement (4-7) while another Arkansas enactment creates a commission to examine the possibility of offering college level courses at vo-tech schools (4-4). A North Carolina proposal would have directed the Department of Community Colleges and the Department of Public Instruction to jointly develop cooperative vocational education programs (33-16). A California enactment places certain restrictions on regional occupational centers that contract with private postsecondary institutions for vocational training (5-14). Finally, SB132 enacted in California is the California Work-Site Education and Training Act. Among other things, it directs the Chancellor of the Community Colleges to help develop programs that integrate classroom and work-site training for youth and economically disadvantaged (5-16).

Community school and education programs were the focus of legislative attention in two states. In Washington, the enactment of HB645 removes the prohibition on state funds being used for community education programs and directs the public school and community college sectors to jointly develop public policy recommendations on community schools (46-12). The other state reporting a relevant measure was Florida. There, an enacted measure changes definitions in the Community Education Act thereby expanding the community school concept from a school based approach to a community centered one. This amendment does not affect community colleges directly but some community college representatives fear that it might lead to encroachment on their program areas (9-17).

Adult education was another matter receiving some attention. A measure enacted in Illinois gives common school and community college boards the authority to offer basic adult education courses and outlines a series of guidelines that must be followed (13-18). Two other states, Texas (43-24) and Rhode Island (39-2), enacted bills calling for comprehensive studies of adult education. Given the increased interest in adult education, legislative developments in this area warrant close observation in the future.

Several other bills need to be mentioned here. SB745 enacted in Maryland is particularly interesting and provides for a rather novel approach to academic programming. It gives the State Board for Community Colleges the authority to designate certain programs as statewide or regional and appropriates $30,000 to be used to pay those districts offering such programs the out-of-district tuition that would normally be paid by the out-of-district students. What this means is that programs that are necessary but for which there is limited demand can be offered at one or a few locations in the state instead of many (20-7). SB168 enacted in Illinois directs the Board of Higher Education to develop guidelines indicating that remedial programs are to be emphasized in the community colleges and not in state colleges and universities (13-29). A measure enacted in Kansas encourages institutions to offer training and research in gerontology (16-7). And finally, SB2406 enacted in Washington provides for a two-year pilot project to provide training, counseling, and services to displaced homemakers (47-29).

Accreditation and Certification

Several states reported a number of bills affecting the certification requirements and regulations of various types of workers. Among the bills were measures pertaining to social workers (47-57), veterinary technicians (14-5), emergency medical attendants (47-27), physicians' assistants (35-4), real estate agents (35-6), and ambulance attendants (49-15). The area of most interest, however, appeared to be nursing education. Four states reported relevant bills. A Texas enactment defines professional nursing (SB273). A New York proposal would have redefined the practice of nursing and required a baccalaureate degree for nurses and an associate degree for associate nurses (32-18). An Arkansas enactment authorizes the Department of Higher Education to review the validation and challenge exams used in institutions for nurse training in order to ensure that more credit is awarded and transferred for previous training (4-9). And one Washington enactment provides for continuing nursing education as a condition for license renewal (47-10) while another requires the establishment of a training program for nursing assistants (47-18).

The Florida legislature enacted two measures dealing with competency-based education. The first requires that community colleges offering high school diplomas must require their students to meet the same competency requirements mandated for all other high school students (9-26). The second requires the State Board of Education to adopt minimum standards for college level communication and computation skills to be followed by community colleges and universities (9-16).

Two other states reported bills addressing the problems of articulation between community colleges and four-year institutions. The Florida legislature, for example, enacted a measure providing for articulation agreements between community colleges and universities (9-16). And a Connecticut proposal, which failed, was designed to ensure that community college graduates be automatically admitted to a four-year institution in a program for which they had prepared (7-13).

Finally, only one accreditation related bill was reported. It came from Nebraska and requires all out-of-state institutions offering programs in the state to be registered with the Coordinating Commission (27-1).

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III

LEGISLATIVE INTENT AND THE IMPACT OF STATE LEGISLATION ON COMMUNITY COLLEGES

The impact of state legislation on community colleges is not only the result of specific legislative actions directed solely at these institutions. Community colleges function in a public environment in which legislation designed for all postsecondary institutions and/or state governmental bodies in general often has an impact on community colleges as well. A start was made in the last report of this series to examine the extent to which community college type institutions are caught up in larger legislative concerns. Clearly these are important matters, because they provide an indication of the issues on which state legislatures willingly or inadvertently lump community colleges together with other institutions in the policy-making process as opposed to those issues on which legislatures tend to treat community colleges as unique educational enterprises.

An initial attempt was undertaken in last year's state legislative report to rectify the lack of information about the extent to which community colleges are affected by legislation not specifically intended for them. To do this, a standard analytical procedure was established. All legislation (except that providing for appropriations and capital funds) in each of the seven major area categories of this study--finance, administration, physical facilities, institutional growth, personnel, students, and academic programs--was classified in terms of four legislative intent categories: (A) legislation intended for community colleges only, (B) legislation intended for all postsecondary educational institutions where community colleges are also affected, (C) legislation intended for educational institutions but excluding community colleges, and (D) legislation intended for state bodies in general that has no particular educational thrust but which affects community colleges nonetheless.

The same procedure outlined above was used for the legislative data supplied this year. The 1979 results are portrayed graphically in Tables 11 and 12 while comparison data for 1978 and 1979 are provided in Tables 13 and 14. It is important to note here that there are

Table 11

INTENT OF LEGISLATIVE PROPOSALS ACCORDING TO EDUCATIONAL OR GOVERNMENTAL SEGMENT AFFECTED (PERCENTAGES CALCULATED DOWN THE COLUMNS)

Legislative Subject	A Legislation Intended for Community Colleges Only		B Legislation Intended for Postsecondary Inst. Including Comm. Colleges		C Legislation Intended for Educational Inst. Excluding Comm. Colleges		D Legislation Intended for State Bodies in General		All Intent Categories	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Finance	52	24.0	17	7.4	1	100.0	67	28.2	137*	20.0
Administration	66	30.4	70	30.4	0	0.0	41	17.2	177	25.8
Physical Facilities	12	5.5	3	1.3	0	0.0	31	13.0	46	6.7
Institutional Growth	12	5.5	3	1.3	0	0.0	0	0.0	15	2.2
Personnel	29	13.4	35	15.2	0	0.0	97	40.8	161	23.5
Students	23	10.6	77	33.5	0	0.0	1	0.4	101	14.7
Academic Programs	23	10.6	25	10.9	0	0.0	1	0.4	49	7.1
All Subjects	217	100.0	230	100.0	1	100.0	238	100.0	686	100.0

*Excludes appropriations and capital funding bills.

Table 12

INTENT OF LEGISLATIVE PROPOSALS ACCORDING TO TOPICAL AREAS AFFECTED (PERCENTAGES CALCULATED ACROSS THE ROWS)

Legislative Subject	A Legislation Intended for Community Colleges Only		B Legislation Intended for Postsecondary Inst. Including Comm. Colleges		C Legislation Intended for Educational Inst. Excluding Comm. Colleges		D Legislation Intended for State Bodies in General		All Intent Categories	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Finance	52	38.0	17	12.4	1	0.7	67	48.9	137	100.0
Administration	66	37.3	70	39.5	0	0.0	41	23.2	177	100.0
Physical Facilities	12	26.1	3	6.5	0	0.0	31	67.4	46	100.0
Institutional Growth	12	80.0	3	20.0	0	0.0	0	0.0	15	100.0
Personnel	29	18.0	35	21.7	0	0.0	97	60.3	161	100.0
Students	23	22.8	77	76.2	0	0.0	1	1.0	101	100.0
Academic Programs	23	46.9	25	51.0	0	0.0	1	2.1	49	100.0
All Subjects	217	31.6	230	33.5	1	0.2	238	34.7	686	100.0

essentially two ways to analyze the legislative intent data. The first is to examine the data using the four legislative intent categories--A,B,C,D--as the primary grouping for analysis and the seven area categories as the secondary units. Table 11 provides the basis for this type of analysis since the percentages are calculated down the columns. The second way to analyze the data is to use the seven area categories--finance, administration, etc.--as the primary focus of analysis and the four legislative intent categories as the secondary focus. This is done in Table 12 and thus the percentages are calculated according to the rows.

The remainder of this analysis is divided into three sections. The first briefly reviews the 1978 findings, the second analyzes the 1979 data, and the third provides a comparison of the results from 1978 and 1979.

Review of the 1978 Findings

The 1978 analysis of legislative intent produced several interesting findings. First, legislation intended specifically for community colleges was not the most numerous type reported. In fact, only 33 percent of the legislation was designed specifically for these institutions while 39.2 percent was intended for all postsecondary education and 27.4 percent for state government entities in general.

Second, the amount of legislation addressed to the various subject areas varied by the type of entity the legislation was intended to affect. Thus the areas receiving the most attention when the legislation was intended specifically for community colleges were administration (31.8 percent) and finance (21.8 percent); the areas receiving most attention when the legislation was intended for all postsecondary institutions were students (30.1 percent), administration (25.3 percent), and academic programs (17.8 percent); and, the areas receiving the most attention when the legislation was intended for state government bodies in general were personnel (34.2 percent) and finance (30.2 percent).

Third, each major subject area was affected differentially by legislation intended for different educational or governmental segments. Thus, finance-related legislation affecting community colleges was more often intended for state government in general (44.6 percent) than community colleges in particular (38.6 percent); administrative-related legislation was most often intended specifically for community colleges (41.9 percent) and then for postsecondary education in general (39.7 percent); personnel legislation was largely intended for state bodies in general (45.5 percent) and only secondarily for either postsecondary education (28.6 percent) or community colleges (25.9 percent), and student-related legislation primarily was aimed at postsecondary education in general (71.9 percent) rather than community colleges in particular (24.7 percent).

The general conclusion derived from the 1978 analysis was that community colleges operate in a complex legislative environment in which legislation intended specifically for them represents only a portion of the state legislatures' impact on their operations. The implication is that community college representatives must be prepared to monitor a wide array of legislation if they are to ensure that their institutions are not adversely affected by legislation that does not recognize the unique features of their institutions.

Review of the 1979 Findings

The 1979 data was categorized and analyzed in the same fashion as in 1978. The first form of analysis used the legislative intent categories as the primary grouping for analysis and the seven area categories as the secondary units. Table 11 displays the data in this form since the percentages are calculated down the columns.

Several findings can be derived from the data that appear in each of the four columns of Table 11. Column A consists of legislation that only affects community colleges. That column indicates that legislation directed specifically at community colleges most often is concerned with administrative (30.4 percent), and financial matters (24.0 percent). Column B is a compilation of all legislation intended for postsecondary education in general but which affects community colleges nonetheless. The percentages indicate that this type of legislation is primarily aimed at students (33.5 percent) and administration issues (30.4 percent). Column C identifies legislation that has no impact on community colleges but does affect other educational institutions. In the past, states reported this kind of legislation because it was felt that some of it might provide an indication of legislative issues that may affect community colleges in the future. As is clear from Table 11, hardly any of this legislation was reported this year. Column D isolates that legislation intended for state bodies in general but that affects community colleges as well. It reveals that this type of legislation primarily affects community colleges with regard to personnel matters (40.8 percent) and finance issues (28.2 percent).

In summary, the above analysis therefore brings out these three key points: (1) that community colleges are affected by a considerable mass of legislation that is intended specifically for them and when that occurs the primary issues are finance and administration; (2) that they are affected by legislation intended for all postsecondary education and when that occurs the primary concerns are students and administration; and, (3) that they are affected by legislation intended for all state government and when that occurs the primary concerns are personnel and finance issues.

A second way to address the legislative intent issue is to use the seven area categories--finance, administration, etc.--as the primary focus of analysis and the legislative intent categories as the secondary focus. Table 12 provides for this since it displays the percentages as calculated across the rows. The Physical Facilities and Institutional Growth areas are excluded from this part of the analysis because of the limited number of bills reported.

One of the important findings derived from Table 12 is that the legislation is divided almost evenly among three of the legislative intent categories: legislation intended only for community colleges (31.6 percent), legislation intended for all postsecondary education (33.5 percent), and legislation intended for state government in general (34.7 percent) (see last row on Table 12). This means that two-thirds of all the reported legislation affecting community colleges was not drafted with these institutions as the primary focus of concern.

Table 12 provides the basis for several additional findings. For example, finance-related legislation that affects community colleges is primarily a product of legislatures' attempt to affect the financial procedures of all state bodies (48.9 percent), and only secondarily a product of a concern with community college financial procedures in particular (38.0 percent). Also noteworthy here is the fact that community colleges are seldom affected by finance-related legislation intended for postsecondary education in general (12.4 percent).

The distribution pattern of administrative-related legislation is somewhat different from finance legislation. Here, legislation intended for postsecondary education in general is predominant (39.5 percent) while administrative-related legislation explicitly intended for community colleges is also prevalent (37.3 percent). Even though legislation intended for state government that affects community college administrative matters as well was not as numerous, it still was fairly substantial (23.2 percent).

Personnel-related legislation follows a different pattern than either financial or administrative-related legislation. By far, the largest percentage of bills affecting community college personnel is a product of legislatures' concerns with all personnel in the state system (60.3 percent) and much less often is it a product of legislatures' concerns with either postsecondary education in general (21.7 percent) or community colleges in particular (18.0 percent).

Students and Academic Programs are the last two area categories used in the analysis. The data for these two categories reveal that community college students are primarily affected by legislation intended for all postsecondary education students (76.2 percent) and that Academic Programs are affected almost equally by legislation intended for all postsecondary education (51.0 percent) and by legislation intended specifically for community colleges (46.9 percent).

Again, in summary, several general observations can be made on the basis of the 1979 data reviewed above. First, state legislation affecting community colleges is intended for postsecondary education in general and state government as often as it is for community colleges in particular. In fact, legislation addressed to state government in general represented the largest percentage of the reported legislation (34.7 percent). Second, the impact of state legislation on various community college issues is not unidirectional. That is, community colleges are lumped together with other educational and governmental entities differentially by issues. Thus, for example, when the issue is finance, community colleges are sometimes treated as separate entities, but often are also included with all of state government; when the issue is students, community colleges are basically included wtih all postsecondary education; and when the issue is personnel, community colleges are essentially treated as state bodies.

Comparison of the 1978 and 1979 Findings

The study of legislative intent now has been conducted for two consecutive years. This provides the basis for a comparison to determine where there are consistent patterns from year to year and where there are changes. (See Table 13 and 14.) Certainly two years is a limited time period. Comparisons developed after several more years of this analysis may provide more definitive trends.

By way of laying a groundwork for such continuing study, a comparison of 1978 and 1979 data do reveal three interesting although tentative findings. The first finding that emerges from a comparative analysis is that the relative distribution of legislation among the four legislative intent categories and among the seven subject area categories remained essentially the same in both years. Several examples can be provided. First, an examination of Column A in Table 13, which portrays the legislation intended specifically for community colleges, indicates that more of this legislation addressed administrative matters in both years than any other area (31.8 percent and 30.4 percent), while finance-related legislation was the second most common (21.8 percent and 24.0 percent). Second, a review of Column B--legislation intended for postsecondary education in general--indicates that in both years the most commonly addressed area was students (30.1 percent and 33.5 percent) with the administrative area second (25.3 percent and 30.4 percent). Third, Column D--legislation intended for state government in general--also maintained the same pattern from year to year. Thus personnel issues were most often addressed by this legislation (34.2 percent and 40.8 percent) while financial matters ranked second in both years (30.2 percent and 28.2 percent).

When attention is focused on Table 14, it is once again found that the relative distribution of legislation basically remained unchanged. Thus, with regard to finance, in both years legislation intended for state government in general was more numerous (44.0 percent and 48.9

Table 13

INTENT OF LEGISLATIVE PROPOSALS ACCORDING TO EDUCATION OR GOVERNMENTAL SEGMENT AFFECTED: COMPARISON OF 1978 AND 1979 (PERCENTAGES CALCULATED DOWN THE COLUMNS)

Legislative Subject	A Legislation Intended for Community Colleges Only Percent 1978	A Percent 1979	B Legislation Intended for Postsecondary Inst. Including Comm. Colleges Percent 1978	B Percent 1979	C Legislation Intended for Educational Inst. Excluding Comm. Colleges Percent 1978	C Percent 1979	D Legislation Intended for State Bodies in General Percent 1978	D Percent 1979	All Intent Categories Percent 1978	All Intent Categories Percent 1979
Finance	21.8	24.0	8.0	7.4	0.0	100.0	30.2	28.2	18.6	20.0
Administration	31.8	30.4	25.3	30.4	0.0	0.0	16.8	17.2	25.1	25.8
Physical Facilities	3.4	5.5	2.4	1.3	0.0	0.0	12.1	13.0	5.3	6.7
Institutional Growth	3.9	5.5	1.4	1.3	0.0	0.0	0.0	0.0	1.8	2.2
Personnel	16.2	13.4	15.0	15.2	0.0	0.0	34.2	40.8	20.6	23.5
Students	12.3	10.6	30.1	33.5	0.0	0.0	2.0	0.4	16.4	14.7
Academic Programs	10.6	10.6	17.8	10.9	100.0	0.0	4.7	0.4	12.2	7.1
All Subjects	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

Table 14

INTENT OF LEGISLATIVE PROPOSALS ACCORDING TO TOPICAL AREAS AFFECTED: COMPARISON OF 1978 AND 1979 (PERCENTAGES CALCULATED ACROSS THE ROWS)

Legislative Subject	A Legislation Intended for Community Colleges Only Percent 1978	 1979	B Legislation Intended for Postsecondary Inst. Including Comm. Colleges Percent 1978	 1979	C Legislation Intended for Educational Inst. Excluding Comm. Colleges Percent 1978	 1979	D Legislation Intended for State Bodies in General Percent 1978	 1979	All Intent Categories Percent 1978	 1979
Finance	38.6	38.0	16.8	12.4	0.0	0.7	44.6	48.9	100.0	100.0
Administration	41.9	37.3	39.7	39.5	0.0	0.0	18.4	23.2	100.0	100.0
Physical Facilities	20.7	26.1	17.2	6.5	0.0	0.0	62.1	67.4	100.0	100.0
Institutional Growth	70.0	80.0	30.0	20.0	0.0	0.0	0.0	0.0	100.0	100.0
Personnel	25.9	18.0	28.6	21.7	0.0	0.0	45.5	60.3	100.0	100.0
Students	24.7	22.8	71.9	76.2	0.0	0.0	3.4	1.0	100.0	100.0
Academic Programs	28.8	46.9	57.6	51.0	3.0	0.0	10.6	2.1	100.0	100.0
All Subjects	33.0	31.6	39.2	33.5	0.4	0.2	27.4	34.7	100.0	100.0

percent) than financial legislation intended specifically for community colleges (38.6 percent and 38.0 percent). The distribution of personnel legislation was also the same in relative terms. Here, legislation intended for state government in general was the most prevalent in both years (45.5 percent and 60.3 percent). And finally, the student legislation also maintained the same pattern. Thus, in both years, legislation intended for postsecondary education in general was the type that most often affected community college students (71.9 percent and 76.2 percent).

There are exceptions to this general pattern of course. The administration category in Table 14, for example, indicates that there has been only a slight change in the distribution of this legislation. Whereas in 1978, legislation intended specifically for community colleges was the most frequent (41.9 percent) and legislation intended for postsecondary education in general was second in frequency (39.7 percent), in 1979 the distribution was reversed with legislation intended for postsecondary education being most frequent (39.6 percent) and legislation intended for community colleges second in frequency (37.3 percent). Importantly, however, this type of change was the exception rather than the rule; moreover, the change in administration legislation was quite small.

The second finding derived from a comparison of the 1978 and 1979 analyses is that there was a more pronounced tendency in 1979 for legislation affecting the various subject areas to be concentrated in specific legislative intent categories. That is, even though the relative distribution of legislation by legislative intent remained basically the same in both years, the percentage of legislation in the most prevalent legislative intent category in 1978 was even greater in 1979. Three examples from Table 14 are relevant. First, an examination of the finance area reveals that legislation intended for state government represented 44.6 percent of all finance legislation in 1978 but increased to 48.9 percent in 1979. Second, legislation affecting personnel was concentrated in the state government category in 1978 (45.5 percent) but was even more concentrated here in 1979 (60.3 percent). And third, legislation affecting students was primarily intended for all postsecondary education in 1978 (71.9 percent) and this was the case to an even greater extent in 1979 (76.2 percent). There are exceptions here just as there were with regard to the relative distribution of legislation. Legislation affecting administration and academic programs was in fact more diffuse in 1979 than in 1978. Overall, however, the tendency is toward greater concentration.

The third and final finding derived from the comparative analysis is that a significant shift occurred from 1978 to 1979 in the distribution of legislation among the legislative intent categories (see last row of Table 14). In 1978, more of the legislation affecting community colleges was intended for postsecondary education in general than for any other segment (39.2 percent) even though community college legislation and state government legislation were substantial (33.0 percent and 27.4 percent respectively). In 1979, however, the distribution among the legislative intent categories was more even with each of the three most important legislative intent categories accounting for approximately one-third of the legislation. Thus legislation intended for state government but affecting community colleges nonetheless represented 34.7 percent of the total, legislation intended for postsecondary education in general accounted for 33.5 percent, and legislation intended specifically for community colleges represented 31.6 percent of the total. Perhaps the most important point about the distribution of legislation among the intent categories is not that it was more even in 1979, but that there was a rather significant increase in the amount of legislation affecting community colleges that was intended for state government in general. Such legislation represented 27.4 percent of the total in 1978, but 34.7 percent in 1979. This seems to indicate that community colleges are increasingly being encompassed within state government. This finding must be viewed cautiously however. A significant reason for the increase in state government-related legislation had to do with the large number of personnel bills, which as noted earlier are predominately aimed at state bodies in general. Nevertheless, the overall trend does seem significant and certainly demands close scrutiny in future studies.

Three major findings can be tentatively reported from the comparative results noted above. The first is that state legislatures appear to treat substantive issues consistently from year to year. Thus, finance issues are treated as a state as well as a community college problem;

personnel issues are treated as a state problem; student issues are treated as a postsecondary education problem; and administrative issues are treated as a postsecondary education problem and as a community college problem. The second conclusion is that legislatures are increasingly treating substantive issues in one particular way or with one major focus. That is, there is a narrowing of the range of legislative intent with regard to the various subject area categories. For example, personnel issues were treated more as a state issue in 1979 than in 1978; student issues were treated more as a postsecondary issue in 1979 than in 1978; and finance was treated more as a state issue in 1979 than in 1978. The third conclusion is that there is a shift, if only slight, toward treating community less and less as unique institutions and more toward encompassing them within other contexts--either postsecondary education in general or state government.

Conclusion

The series of state legislative studies that have been conducted over the last several years have attempted to illuminate the substantial impact that state legislatures can have on community colleges. The analysis provided above represents an effort to deepen our understanding along these lines. What it reveals is that community colleges are affected by legislation that rests on a broader base than the needs and interests of community colleges alone. It is important to note that we have no data to indicate whether legislatures do this consciously or unconsciously; that is, with deliberate intent or not. State legislatures have a public responsibility for a wide array of social institutions and cannot in every instance, or even in most cases, weigh the complete consequences of a piece of legislation for each social institution individually.

Given the above noted set of circumstances, what can be done? Certainly there are no easy solutions, but two suggestions can be offered. The first is that it is incumbent upon community college educators to examine in detail the wide variety of potential legislation that will affect their institutions and then communicate the potential benefits and/or costs to their state legislatures. Only in this fashion can state legislators make informed decisions about the applicability of various types of state legislation to community colleges. Second, means need to be devised by which potentially relevant legislation can be identified more easily. One way this might be accomplished is for state-level community college offices to establish communication networks with other state bodies that also monitor state legislation. Through such networks, numerous state agencies might jointly cooperate in the identification of relevant legislation thereby easing the burden on any one particular agency.

IV

CONCLUSIONS

This annual survey of state legislation affecting community and junior colleges is designed to acquaint community college educators with educational, financial, and political issues that are attracting the attention of state legislators in the fifty states. It is believed to be a fair assumption that educators are knowledgeable about the important legislative matters being debated in their own states, but often have little opportunity to familiarize themselves with questions that transcend state boundaries. This chronicle, discussion, and interpretation of legislative activity is designed to provide at least one way of developing inter-state, regional, and national perspectives.

The intent of this study, we emphasize, is to be more than a mere chronicle. Rather, it is to identify patterns, issues, and questions that provide some indication of the overall direction and impact of state legislation on community colleges throughout the country. It is a difficult and at times a delicate task to identify trends based on the state legislation of any given year. As the series of which this annual survey is a part is extended, however, more insightful conclusions can be drawn and interpretations made. Nevertheless, it is extremely important to remember that the conclusions and observations offered are tentative ones that future events and studies will confirm, deny, or modify.

Given the above qualifications, what conclusions can be drawn from the legislation reviewed in the previous pages. Essentially there are four. The first is that the amount of state legislation affecting community colleges reported to us continues to increase. This is the fourth consecutive year this has happened. It is not entirely clear why this is the case. It is possible that state legislatures are simply dealing with a greater volume and variety of legislative items. It may be that community college representatives are more closely monitoring state legislative activity to detect any legislation that may affect their institutions. Or finally, it may simply be an artifact of the data collection techniques used; that is, as more states have become familiar with this annual review, they may have become more willing to provide us with relevant information. Whatever the reason, though, it does appear that there is a greater awareness of and more attention being given to state legislative developments by community college representatives. Given the substantial impact state legislatures can have on postsecondary education, the increased concern seems warranted.

The second conclusion, and perhaps the most important one, is that the major issue addressed by state legislatures in 1979 was finance. This is not surprising. The economic condition of the nation as a whole as well as of the individual states is such that financial matters are at the center of attention. With regard to community colleges, there were two major developments that need to be mentioned. The first is the substantial decrease in the average appropriation growth rates. In 1978 we reported that appropriation growth rates appeared to have stabilized over the previous three-year period. In 1979, however, the average growth rate dropped. This was a consequence of some states not providing as great an increase in appropriations as in previous years, others simply maintaining their previous level of financial support, and in the case of five states, actually reducing the amount of funds appropriated for community colleges. It appears that the era of belt-tightening has arrived and it is clear that community colleges will not be immune from this development.

The amount of state funds provided for community colleges was not the only important financial issue addressed by state legislatures however. A number of states are attempting to reduce taxes and/or restructure their taxing policies. Efforts in this direction began with California's Proposition 13. It is apparent from the data that this development has had an impact beyond California's boundaries. Some states are trying to reduce or eliminate property taxes, others have simply cut back taxes as a whole, and still others are attempting to keep government costs down by imposing budgetary limitations on local and state bodies. Certainly these developments have not been directed either intentionally or specifically at community colleges. However, there seems to be little doubt that as states try to reduce their expenditures--at the state and local levels--community colleges as well as other postsecondary units cannot expect to remain unaffected.

The third conclusion derived from the 1979 legislative data has to do with governance issues. The first three studies in this annual survey indicated that state legislatures were primarily concerned with two governance issues. The first was a focus on expanding state control over community colleges. The forms this concern took varied but included the creation of new state-level boards, the expansion of current state board authority, increased institutional reporting requirements, etc. The second governance issue state legislatures addressed in previous years was the broadening of the participation base in institutional decision making. This took several forms including the addition of students to governing boards and requiring institutional boards to hold open meetings. In addition, the extension of collective bargaining rights to community college personnel can even be seen as an attempt to give them a greater voice in determining the type of environment in which they work. Beginning with the 1978 study, however, the legislative concern with state-level control and a broader governance base at the institutional level began to wane. The 1979 data indicates that this new trend is continuing. There, of course, continue to be some "super" board proposals as well as a few measures that extend the rights of students and personnel. In general, however, governance matters did not appear to be of major concern to state legislatures in 1979.

The fourth and final conclusion derived from the 1979 study is that there was a somewhat paradoxical development in the historical trend of state legislatures to recognize community colleges as distinct educational entities. On the one hand, some states reported measures that effectively eliminate restraints placed on community colleges as a result of being tied to other educational segments. Efforts in this direction took the form of separating local community colleges from local public school boards in some states and in establishing separate state-level boards for these institutions in other states. On the other hand, the analysis of legislative intent provided in Chapter 3 indicates that community colleges are increasingly being affected by legislation intended for other entities--postsecondary education in general and state government. This seems to indicate that although community colleges are increasingly recognized as a distinct educational segment in some ways, that in no way removes them from the complex web of public policy developments at the state level.

State legislation often serves as a barometer of the social environment; that is, it is a reflection of the political, economic and social concerns of the citizenry. This seems to be the case with the state legislation reported in 1979. Some of the most difficult issues facing the nation at this time are economic matters. It is no surprise, then, that the major legislative issues of the 1979 state legislative sessions were related to financial questions. States are looking for means to keep costs down and ways to alter the financing of local and state services. It is clear from the 1979 state legislation that community colleges will not be immune from scrutiny as legislatures search for the methods to accomplish these tasks.

100

V

THE COORDINATION OF LIFELONG LEARNING PROGRAMS

Creation of the "learning society" and steps to support lifelong learning in the United States have been the subject of considerable attention in recent years. If the sixties and seventies were decades in which educational opportunities were increasingly extended to the youth of America, there appears to be some thought that the eighties may be years when similar educational opportunities are extended to adults through lifelong learning. Evidence that the concept has attracted considerable attention from professional educators is bountiful. Countless articles have addressed the subject, one journal is totally devoted to it, and conferences to discuss it have been plentiful. There seems little doubt then that lifelong learning is a critical issue to professional educators.

One of our concerns in the state legislative project in recent years has been to determine what impact the growing interest in the adult learner, as noted above, is having on state legislators and state level postsecondary leaders in terms of the policies they promulgate and administer. In an effort to continue our exploration of this matter, we decided to examine an aspect of lifelong learning that has received relatively little attention; namely, the potential for conflict among the various educational entities offering lifelong learning programs and the consequent need to coordinate their activities. With this issue in mind, we sent a six-part questionnaire to all State Directors of Community Colleges in an attempt to obtain information on two matters: (1) state-level awareness and concern about the coordination and delineation of spheres of responsibility among the educational segments providing lifelong learning opportunities, and (2) approaches to addressing the lifelong learning coordination issue. Thirty-nine states returned completed questionnaires. An overview of the insights gained from an analysis of the questionnaire data follows.

The first question asked of State Directors was, "What is the general level of awareness among postsecondary educational leaders concerning the need to coordinate the efforts of the various educational segments in terms of lifelong learning programs?" State Directors were allowed to select one of five responses ranging from "Non-existent" to "Very High." Table 15 graphically portrays the responses to this question. As it indicates, no State Directors chose "Non-existent", five selected the "Low" category, seventeen checked "Moderate", twelve chose "High", and three selected "Very High". When quantitative values were assigned to each of the response categories and an average response calculated, the figure derived was 3.4. This, of course, indicates that the overall concern with coordinating lifelong learning programs among postsecondary education leaders appears to be only slightly above moderate.

The second question was similar to the first but referred to state-level public policy makers rather than postsecondary education leaders. The specific question was, "What is the general level of awareness among legislators, members of the governor's staff, and other major public policy makers concerning the need to coordinate the efforts of the various educational segments in terms of lifelong learning programs?" Once again, State Directors were given a five point response scale ranging from "Non-existent" to "Very High" to choose from. As Table 16 indicates, the responses were grouped in the following way: Non-existent = 2, Low = 13, Moderate = 10, High = 11, and Very High = 0. Assigning numerical values to each of the response choices and calculating an average for all responses resulted in a value of 2.8. This indicates that, on the average, state-level public policy makers do not even appear to be moderately concerned with the need for coordinating lifelong learning programs at least as perceived by community college state directors.

Before proceeding to a discussion of why State Directors responded to the first two questions as they did, two other matters are worthy of attention. The first involves a comparison of the responses to the first two questions. It is clear from the above that State Directors generally perceive postsecondary educational leaders to have a greater concern with the need to coordinate lifelong learning programs than state-level public policy makers. This is not true in all states however. Nineteen of the thirty-six respondents ranked the level of concern of the two groups the same, sixteen ranked the postsecondary educators' concern higher, and only one ranked the public policy

TABLE 15

POSTSECONDARY LEADERS' CONCERN WITH NEED TO COORDINATE LIFELONG LEARNING PROGRAMS*

State	Nonexistent	Low	Moderate	High	Very High
Alabama				X	
Alaska				X	
Arizona			X		
Arkansas				X	
California					
Colorado			X		
Connecticut				X	
Delaware			X		
Florida			X		
Georgia					
Hawaii					
Idaho		X			
Illinois				X	
Indiana			X		
Iowa					X
Kansas				X	
Kentucky				X	
Louisiana		X			
Maine					
Maryland			X		
Massachusetts			X		
Michigan			X		
Minnesota					
Mississippi		X			
Missouri			X		
Montana				X	
Nebraska			X		
Nevada			X		
New Hampshire			X		
New Jersey					X
New Mexico			X		
New York					
North Carolina					
North Dakota			X		
Ohio		X			
Oklahoma				X	
Oregon					
Pennsylvania					
Rhode Island				X	
South Carolina			X		
South Dakota					
Tennessee					
Texas					
Utah					X
Vermont				X	
Virginia		X			
Washington			X		
West Virginia					
Wisconsin				X	
Wyoming					
Puerto Rico			X		
TOTALS	0	5	17	12	3

Mean rating: = 3.4

*Two states returned questionnaires that could not be used for this part of the analysis.

103

TABLE 16

PUBLIC POLICY MAKERS' CONCERN WITH NEED TO COORDINATE LIFELONG LEARNING PROGRAMS*

State	Nonexistent	Low	Moderate	High	Very High
Alabama				X	
Alaska				X	
Arizona			X		
Arkansas				X	
California		X			
Colorado					
Connecticut				X	
Delaware			X		
Florida				X	
Georgia					
Hawaii					
Idaho	X				
Illinois		X			
Indiana			X		
Iowa					
Kansas			X		
Kentucky		X			
Louisiana		X			
Maine					
Maryland		X			
Massachusetts			X		
Michigan		X			
Minnesota					
Mississippi		X			
Missouri			X		
Montana				X	
Nebraska		X			
New Hampshire			X		
New Jersey				X	
New Mexico		X			
New York					
North Carolina					
North Dakota			X		
Ohio	X				
Oklahoma		X			
Oregon					
Pennsylvania					
Rhode Island				X	
South Carolina			X		
South Dakota					
Tennessee					
Texas					
Utah				X	
Vermont				X	
Virginia		X			
Washington		X			
West Virginia					
Wisconsin				X	
Wyoming					
Puerto Rico		X			
TOTALS	2	13	10	11	0

Mean rating = 2.8

*Three states returned questionnaires that could not be used for this part of the analysis.

makers concern higher. This seems to indicate that in many states, postsecondary leaders and public policy makers are believed to view the coordination problem similarly. However, when there is a difference in views, almost invariably the postsecondary leaders are more concerned about the need for coordination of lifelong learning programs than are the public policy makers.

The second matter worthy of attention is a regional comparison of the State Directors' responses. To do this, the states were separated into four regions--Northeast, Midwest, South, and West--and mean scores calculated for their responses to each of the first two questions. The chart below portrays the results of this process.

Region	Postsecondary Leaders' Concern	Public Policy Makers' Concern
Northeast	3.7	3.6
Midwest	3.5	2.6
West	3.3	2.7
South	3.0	2.8

The chart indicates that there are indeed regional differences, at least as perceived by Community College State Directors. Clearly the most concern is evident in the Northeast for both postsecondary leaders and public policy makers where the numerical averages indicate practically a "High" concern. The least concern is evident in the South among postsecondary leaders and in the Midwest among public policy makers.

It is not clear exactly why the Northeast should express a much higher concern with this issue, but two possible hypotheses can be offered. First, the Northeast is experiencing the severest decline in the number of traditional college age students which may make individuals in that region more interested in lifelong learning programs in general. Second, the Northeast has a higher order of diversity of postsecondary education and especially a more developed private postsecondary education sector than other regions. This could mean that the problem of coordination is more acute in the Northeast and therefore awareness of it much higher. No doubt there are other reasonable hypotheses. The important point here though is that regional differences do indeed exist.

The third and fourth questions were designed to determine what was responsible for the State Directors' responses to the first two questions. Specifically, question three asked the respondents to discuss the factors that contributed to their response to question one; that is, the particular ranking of the postsecondary education leaders' level of awareness of the need to coordinate lifelong learning programs. Respondents' replies to this question were separated according to their responses to question one and then categorized.

The responses from State Directors who indicated in question one that postsecondary leaders had a "Low" to "Moderate" concern with coordination fell into several categories. Each one will be listed below and briefly discussed. Little Interest: five states reported that there is little or no interest in lifelong learning itself and thus no interest in coordinating such programs. Program Development: four respondents noted that postsecondary leaders are too busy developing new lifelong learning programs to be concerned with the coordination of such programs with other segments. No State Funds: two states reported that coordination is not viewed as an important issue since no state funds are involved. Competition: five respondents indicated that competition rather than coordination is the focus of attention either because of declining enrollments or because competition is viewed as appropriate and healthy when state funds are not involved. Discussion: four states reported that there is some interest in coordinating lifelong learning programs but that it has not moved beyond the discussion stage.

In contrast to the respondents discussed above, those who indicated a "High" or "Very High" interest in coordinating lifelong learning programs among postsecondary leaders listed a different set of factors. Primarily these fell into four categories. General Awareness: five states reported a specific concern with coordinating lifelong learning programs among postsecondary education leaders. Master Plan: two states noted that the lifelong learning coordination issue either was discussed or would be in their Master Plans. Studies: two noted that studies of the issue had been completed. Position Paper: one state reported that a position paper dealing with the coordination issue has been developed jointly by the various educational segments but that it is only in the draft stage and will require considerably more negotiation. Action: two states reported that coordination plans were in actual operation.

The fourth question was similar to the third. Specifically, it asked the State Directors what factors or questions led them to rank the public policy makers' interest in coordinating lifelong learning programs as they did in question two. It will be recalled that the policy makers' interest in the issue as perceived by State Directors was considerably below that of postsecondary education leaders, averaging only 2.8 on a five point scale. In fact, twenty-seven states fell into the "Non-existent," "Low," or "Moderate" interest categories while only eleven were above these rankings.

An analysis of the responses to question four indicates that there are several factors contributing to this low level of awareness and concern. One is the fact that many public policy makers have little interest in lifelong learning programs. Eleven respondents indicated that this was the case. In a similar vein, some public policy makers are not interested because state funds are not involved (2 states), others are minimally concerned because they see the lifelong learning concept as a "gimmick" to generate enrollments (2 states), while one other respondent indicated that the lifelong learning concept lacks clarity and this is responsible for low interest. Other factors cited as contributing to the public policy makers' low interest was the lack of effort on the part of postsecondary educators to interest them in the issue (2 states), policy makers' concern that institutional autonomy reign (1 state), the relative newness of lifelong learning programs (1 state), and the concern with coordination generally rather than the specific coordination of lifelong learning programs (2 states). On the positive side, those states indicating a "High" interest in coordinating lifelong learning programs cited the following relevant factors: the general concern with eliminating duplicative programs in all phases of postsecondary education (6 states), the fact that studies and discussions of the matter are in progress (3 states), and the work of a state-level task force on the problem (1 state).

The last two questions on the questionnaire were designed to move beyond State Directors' perceptions and acquire information on concrete developments. Question five specifically asked, "What actions have been taken to address or resolve this issue of coordinating lifelong learning programs among the various educational segments?" In general, few states indicated that substantial action has been taken. This can be illustrated by noting in ascending order the types of activity reported; topically presented, they are:

No Action: Five states reported that no action had been taken with regard to coordinating lifelong learning programs.

Program Development: Four respondents indicated that the present concern is with developing lifelong learning programs rather than their coordination.

General Coordindation: Four states reported that their state-level boards handle coordination matters generally, including any that might involve lifelong learning programs.

Meetings and Discussion: Seven states indicated that some meetings have been held to discuss the issue. For example, one state reported that continuing education directors of community colleges and four-year colleges have met together several times with the coordination of their programs being a priority agenda item.

Master Plans: Five states reported that the coordination of lifelong learning programs is discussed in their state master plans or would be discussed when new plans are developed. For example, one of the Task Forces involved in developing a new master plan for New Jersey is specifically dealing with lifelong learning programs. Among those on the Task Force are representatives from the various higher education sectors, the State Department of Education, the State Department of Labor and Industry, and the non-traditional student population.

Studies: Four states indicated that studies are underway or will be conducted that deal at least in part with coordination of lifelong learning programs. However, in three of these states, the study really focuses on all postsecondary education needs in the next few years rather than specifically on lifelong learning. The one exception is Maryland. There the State Board for Higher Education in cooperation with the State Department of Education is conducting a study of all non-credit courses being offered to serve as a basis for coordinating activities of the two levels.

Position Paper: One state reported that the State Department of Education and the State Board of Higher Education are working on a position paper that will address the need for coordination between the two segments with regard to adult education.

New Organization: South Carolina reported that continuing education administrators from two and four-year colleges recently joined together to form the South Carolina Association for Higher Continuing Education. As the respondent noted, the new organization"...has not taken a formal stand on lifelong learning, but it will attempt to function in an advocacy role to promote statewide coordination."

Action: Seven states reported that some official type of action has been taken with regard to the coordination of lifelong learning related programs. Four interesting examples can be provided. First, in Iowa, the state has been divided into five regional clusters and all postsecondary institutions in each region are working together voluntarily to coordinate their lifelong learning programs. Second, the Wisconsin respondent reported that the University of Wisconsin system and the Vocational Technical School System have established two joint committees. One deals with the coordination of non-credit programs while the other focuses on credit programs. Third, the Washington legislature, at the urging of the community colleges, has mandated that the common school system and the community colleges cooperate in the delivery of community education programs. And finally, a Vocational Education Planning Council has been established in Alaska to coordinate the delivery system for lifelong learning and vocational education programs.

The last question asked State Directors to indicate whether any actions are being planned to address the coordination of lifelong learning programs issue. The responses received indicate that some action is planned but that it is not overwhelming. For example, eleven states reported that nothing is planned, seven noted that study and discussion would continue, and ten stated that action would be delayed until the results of current studies and the development of master plans were completed. Only five states reported specific planned action and most of it was only tentative. For example, one state reported that the State Commission on Higher Education is planning to add a permanent advisory committee on continuing education to coordinate relevant activities but only if the state higher education master plan is approved, while one other state indicated that an interagency committee composed of representatives from the Board of Regents, The Commission on Postsecondary Education, and the Department of Education has been proposed.

To summarize, the level of awareness concerning the need to coordinate lifelong learning programs does not seem to be very high in the states. This is the case with regard to postsecondary leaders as well as public policy makers although the former are slightly more aware. Regionally, the Northeast is most concerned while the other regions exhibit less interest. There are many reasons for this low level of interest but an important element is the fact that substantial numbers do not appear to see lifelong learning as a priority problem. Some action relevant to the coordination of lifelong learning has been taken but in only a few states is it substantial. Finally, few specific actions are planned for the immediate future.

Conclusion

The primary conclusion that emerges from this survey presents some puzzling contrasts to analysts of the current scene of postsecondary education in the country. Against a backdrop of ubiquitous and strong expressions of interest in expanding and strengthening programs for adult learners evident in the literature and general professional discussion in the field today, there seems to be only a limited interest in the coordination of lifelong learning programs on the part of either state legislators or appointed responsible officials. Beyond this, there seems to be grounds to raise questions concerning that official interest, not only as it applies to the specific issue of coordination but to the fundamental concept of lifelong learning. The evidence here seems to indicate that the interest in lifelong learning, let alone its coordination, is not nearly as high among those people responsible for setting public educational policy either directly or indirectly as it is to scholars or other analysts in the field or to the leadership of the particular components of postsecondary education--community colleges, universities, etc.

Such a conclusion has serious implications for future developments related to lifelong learning. Earlier experience in getting needed improvements in public policy regarding postsecondary education and in material support for implementing them in the country shows that they depend heavily on state authoritative understanding and assistance. Unless and until professional educators do a better job of convincing those responsible for setting public policy of the meaning and importance of lifelong learning, little support for the idea in the public policy realm can be expected. Importantly, without such support, the lifelong learning concept would seem to be destined to have a limited impact on the education of American adults.

APPENDIX A

ABSTRACTS OF STATE LEGISLATION RELATING TO POSTSECONDARY EDUCATION

1979 State Legislation Sessions

Arrangement

The items of legislation listed here include both those enacted and those proposed. Within each group the order of items is numerical. Chapter or act numbers are by Senate Bill and House Bill numbers, depending on the information provided by the respondents.

ALABAMA (1)

Legislation Enacted

1-1 Fund Transfer (H 54) Permits local boards of education and institutions of higher education to transfer funds allocated during the 1978 Second Special Legislative Session between and among categories from October 1, 1978 to September 30, 1979.

1-2 Retirement (H 239) Provides that five years of creditable service under the Teachers' Retirement System of Alabama may be granted to employees for work in public education or public employment in other states; provides procedures to calculate required contributons and requires that the individual shall pay the full cost of this credit.

1-3 Salary Reduction (H 256) Provides that state employees may have funds deducted from their salaries for contribution to specified charities.

1-4 Appropriation (H 386) General public education appropriation act. Provides $39,550,000 in state funds for junior college operating expenses; provides $32,451,521 for the postsecondary vocational-technical educational system; provides $250,000 for paramedic training programs at two junior colleges; provides $325,000 for nursing programs at two junior colleges, and an additional $168,000 for Lawson State Community College; and provides $200,000 for a community college to lease buildings from a private college.

1-5 Appropriation (H 388) Appropriates $325,000 to the Marion Military Institute.

1-6 Appropriation (H 391) Appropriates $400,000 for the Walker County Junior College.

1-7 Appropriation (H 392) Appropriates $125,000 for the Lyman Ward Military Academy.

1-8 Salary Increases (H 580) Provides up to a 7% cost of living salary increase to employees of the public schools, and junior, technical, and community colleges for 1979-80 provided that the funds are available in the Alabama Special Educational Trust Fund.

1-9 Appropriation (H 722) Provides $1,488,159 in 1979 supplemental appropriations to various community and two-year colleges.

1-10 Retirement Benefits (H 791) Provides a cost of living increase in benefits to members of the teachers' retirement system, and permits counties and municipalities to choose to come under the provision of the plan at the beginning of the fiscal year.

1-11 Private Colleges Authority (S 55) Creates the Private Colleges and Universities Authority and authorizes it to acquire, construct, and equip self-liquidating projects consisting of educational facilities for lease or sale to private institutions of higher education.

1-12 State Board Reauthorizes the Alabama Commission on Higher Education and increases scope, funds, and responsibilities.

ALASKA (2)

Legislation Enacted

2-1 Appropriation Appropriates $24,535,100 for community colleges.

ARIZONA (3)

Legislation Enacted

3-1 Per Diem (HB 2088) Increases the mileage allowance for state employees from 15¢ to 17¢, and increases per diem from $30 to $40.

3-2 Solar Energy (HB 2093) Provides that the State Department of Administration is authorized to require new State buildings of more than 6000 square feet to include consideration of various solar design standards.

3-3 Construction Regulations (HB 2188) Provides that an agent on a public construction project must accept securities from a contractor as a guarantee for contract performance instead of the otherwise required 10 percent retention at the contractor's option.

3-4 Retirement (HB 2189) Provides among other things that all political subdivisions of the State may enter into agreements with the State Personnel Board to provide a group health and accident coverage for their retired political subdivision employees and their dependents.

3-5 Elevator Requirements (HB 2209) Provides that all public buildings and accommodations with more than one floor level must have an elevator. Does permit the governing body of a political subdivison to exempt two-story buildings after hearings. These provisions apply to all new construction and those buildings being substantially altered after July 1, 1979.

3-6 Veterans Pay Deferment (HB 2211) Provides that veterans may receive a deferment of payment for required books and materials the same as they have been receiving for tuition and fees.

3-7 Taxation (HB 2357) Provides among other things that in calculating property valuations for purposes of levying 1979 property taxes, assessed valuations are to be divided by 1.15.

3-8 Capital Funds (HB 2385) Provides for a supplemental appropriation of $179,539 to the State Community College Board for capital outlay purposes in seven counties.

3-9 Student Incentive Grant Funds (SB 1199) Appropriates $150,000 for the purpose of matching federal funds under the Student Incentive Grant Program; amount of such funds available to individual institutions will be based on their proportion of full-time students in the state's eligible institutions.

3-10 Residency (SB 1199) Provides that a dependent of a member of the armed forces is considered a resident of the state for tuition purposes; previously the law only granted residency to an "un-emancipated" person whose parent was a member of the armed forces.

3-11 Appropriations General appropriations for community colleges. Provides $261,000 for the State Board of Directors, $30,424,700 for community colleges operating costs, and $7,227,900 in capital outlay funds for community colleges.

Legislation Introduced But Not Enacted

3-12 Purchasing Requirements (HB 1266) Would affect the bidding, contracting, and purchasing requirements of community colleges.

3-13 Employer Regulations (HB 2017) Would affect personnel practices related to public employees and the disclosure of information.

3-14 Building Costs (HB 2113) Would require state buildings to conform to local codes.

3-15 Collective Bargaining (HB 2133) Would permit collective bargaining among professional school employees.

3-16 Construction (HB 2137) Pertaining to the construction and major renovation of public buildings.

3-17 Residency (HB 2354) Would affect residency requirements for tuition purposes.

3-18 Hiring Freeze (SB 1011) Would have placed a moratorium on the hiring of new state employees.

3-19 Accreditation (SB 1032) Diploma Mill bill.

3-20 Per-Diem (SB 1049) Would have increased the mileage allowance for state employees from 15¢ to 20¢ per mile.

3-21 Education Compact (SB 1118) Pertaining to a Compact for Education--Education Commission of the States.

3-22 Residency (SB 1139) Would have made changes in the residency requirements for tuition purposes.

3-23 Retirement (SB 1172) Would have permitted state employees to change retirement plans.

3-24 Taxation (SB 1254) Would have provided an alternative computation for property valuation for 1979.

3-25 Board Size (SB 1281) Would have increased the size of two community college boards upon a vote of the electorate.

3-26 Taxation (SB 1282) Would have required community college districts to levy a minimum tax of 50¢/$100 of assessed valuation.

3-27 Retirement (SB 1296) Would have affected the retirement income for individuals retiring early.

3-28 Salaries (SB 1337) Would have affected the salary grade for certain state employees.

3-29 State Debt (SCR 1009) Would have provided for a constitutional amendment relating to the state debt.

ARKANSAS (4)

Legislation Enacted

4-1 Retirement Age (HB 234) Prohibits discrimination in public employment against individuals 70 years of age and under, sets the retirement age at 70, and permits the employment of individuals over 70 years old on a year-to-year basis.

4-2 Consultant Contracts (HB 318) Changes the procedural requirements on professional service and consultant contracts. Its main impact is to allow administrative approval rather than Legislative Council approval for more consultant contracts.

4-3 Leasing (HB 521) Requires that the State Building Services agency be the leasing agent for all state agencies; previously state agencies would do their own leasing.

4-4 Vo-Tech Course Offerings (HB 781) Creates a temporary special advisory committee to study the possibility of offering college-level programs at vocational-technical schools; and to generally study the relationship between community colleges and vo-tech schools.

4-5 Payrolls (HB 789) Permits higher education institutions to do their payrolls locally rather than sending them to the state capital.

4-6 Purchasing (HB 821) Exempts state agencies from state level pre-audit review when purchasing items not in excess of $500.

4-7 Funds for High School Students (HB 841) Appropriates funds to provide additional financial assistance to community colleges for high school students enrolled in vocational courses thereby legitimatizing this type of program; previously the Department of Education had sole responsibility for secondary students.

4-8 Personnel System (HB 1153) Transfers responsibility for classified employees at colleges and universities from the Department of Higher Education to the state personnel system.

4-9 Exam Review (SB 58) Authorizes the Department of Higher Education to review and approve validation and challenge exams used by higher educational institutions in their nurse training curriculum. The intent of this act is to ensure that more credit is transferred and granted for previous training.

4-10 Purchasing (SB 661) Allows public colleges and universities to purchase data processing equipment costing less than $50,000 with the approval of the Department of Higher Education only, instead of requiring approval from the Department of Higher Education and the Department of Computer Services.

4-11 Classified Employees (SB 725) Specifies that classified employees of institutions of higher education are to be included under the provisions of the State's Uniform Attendance and Leave Policy.

4-12 Appropriations Appropriation Act for various public postsecondary institutions. Provides a total of $14,6611,906 in

1979-1980 and $16,033,380 in 1980-81 for community colleges and branch campuses if state revenues warrant. In addition, placed a new series of restrictions on the use of maintenance and operating funds, continues maximum allowable salary increase at 7 percent, provides for summer school faculty without specifying the specific positions thereby eliminating previous restrictions; and sets a specific limit on the number of automobiles an institution may own.

CALIFORNIA (5)

Legislation Enacted

5-1 Funding Formula (AB 8) A proposed plan for long-term financing of local agencies in response to Proposition 13. Provisions related to community colleges include: a revenue based financing scheme based on fiscal year 1977-78, each district would receive a specified base budget for 1979-80, base budget to be increased or decreased by ADA changes at the marginals rather than average rates.

5-2 Student Aid (AB 25) Requires the Student Aid Commission to annually review and adjust the number of awards to be given based on specified factors including the number of qualified applicants who did not receive awards the previous year; also alters regulations related to the Commission's distribution of certain federal funds.

5-3 Board Trustees (AB 95) Affects the election of community college board of trustee members.

5-4 Financial Procedures (AB 147) Allows community colleges to use the proceeds from the sale or lease of district property for the costs of maintenance of district property if the district board determines such costs will not recur within a ten-year period. Previously such proceeds could be used only for capital outlay with exceptions only to be made with the approval of the Board of Governors. State Board approval will not be needed for this new procedure; only local board approval.

5-5 Vocational Education (AB 576) Requires the Director of Employment Development to form a task group to determine how existing youth employment and vocational education funds can be better allocated.

5-6 Budget Deadlines (AB 863) Establishes deadlines for budget approval by county superintendents of community college district budgets following the passage of the state budget act or a bill providing the state financial share for schools and community colleges, but in no event would the deadline be beyond September 17.

5-7 Energy Conservation (AB 900) Enacts the Energy Conservation Assistance Act and provides for state loans to local government entities to finance energy conservation related projects.

5-8 Age Regulations (AB 924) Increases from 65 to 70 the age at which a community college district employee must be certified as competent by the governing board in order to be employed from year to year.

5-9 Administrative Rules (AB 1111) Creates the Office of Administrative Law and transfers to it the present function of Office of Administrator Hearings which deals with the adoption, filing, and publication of state agency rules; allows the new office to review and disapprove agency regulations and requires the agency preparing a regulation to prepare a general statement of purpose and intent to be available to the public.

5-10 Residency (AB 1173) Provides that a student who is employed as a peace officer by a public agency may be classified by a community college district as a resident for purposes of enrollment in police academy training at the community colleges.

5-11 Capital Project Review (AB 1547) Requires that capital outlay projects for the remodeling of a facility leased by a community college from another public agency be included in the state budget and Budget Bill for review by the Legislature.

5-12 State-Level Governance (AB 1549) Updates and clarifies provisions of the law related to the powers and duties of the Board of Governors and the Chancellor's Office as well as streamlines the statewide governance of community colleges by the Board of Governors. Changes include but are not limited to the following: eliminates certain reporting requirements imposed on community college districts, eliminates the required approval of the Chancellor for certain acts of community college districts, eliminates certain district reorganization requirements, alters the financial relationship between the Chancellor and the State Controller, takes community colleges out of the scope of specified existing law relating to school facilities, eliminates provisions specifically relating to the Santa Cruz Regional Occupational Center, eliminates specific duties of the Board of Governors of the California Community Colleges, makes specified changes relating to transportation allowances, eliminates specified authorization and funding for education of educationally and physically handicapped and mentally retarded students, eliminates specified special apportionment, eliminates specified provisions for in-service training for instructors, eliminates specified requirements relating to credentials of persons charged with unprofessional conduct, and alters qualifications of specified instructors.

5-13 Student Transporting (AB 1595) Eliminates a section of the current law which is duplicative with regard to transporting community college students.

5-14 Educational Contracting (SB 15) Amends previous legislation to restrict agencies maintaining regional occupational centers that contract with private postsecondary institutions for vocational training to contract only with such private institutions that have been in operation for two years; requires that under such contracts that the public agency maintain exclusive control and management of the program; requires districts to conduct a job market survey analyzing existing vocational and occupational training programs to ensure there is no duplication of services or potential overabundance of job applicants before developing a new training program.

5-15 Collective Bargaining (SB 130) Removes State managerial and confidential employees from coverage under the State Employer-Employee Relations Act (SEERA), and prohibits them from holding elective office in an employee organization which also represents State employees covered by SEERA.

5-16 Work-Site Education and Training (SB 132) Enacts the California Work-Site Education and Training Act of 1979; Act provides for integrated classroom and work site training for youth and economically disadvantaged; involves the Chancellor of the Community Colleges in the development of the program; appropriates $25,000,000 for program with community colleges receiving a small portion of these funds.

5-17 Technical Finance Changes (SB 186) This is a technical clean up measure designed to make clarifications but not substantive changes in AB 8, the new financing method for community colleges.

5-18 Retirement (SB 381) Present law requires that a certified employee of a community college must have been employed full-time for at least five consecutive years before he can apply to have his workload reduced from full-time to part-time without loss of retirement contributions. This measure amends the clause by providing that sabbaticals and other approved leaves of absence are not breaks in service with regard to the five-year period but that the time on leave cannot be counted toward the five-year requirements.

5-19 Student Aid (SB 641) Alters the regulations related to consideration of parental resources for students applying for need-based grants; current legislation excludes consideration of parental resources only if the student has not lived with a parent or received more than $600 during last three years; this regulation would exclude consideration of parental resources if the student had not lived with a parent during the preceding year and had not received more than $750 from parents for three consecutive tax years; also includes provisions for the reestablishment of the Commission for Teacher Preparation and Licensing.

5-20 Legislative Oversight (SB990) Requires the California Advisory Council on Vocational Education to provide specified services to the Legislature as well as to the educational bodies it serves; also requires the State Board of Education to submit any state plan for vocational education required by federal legislation to the Legislative Analyst and requires the analyst to review and report to the Legislature prior to the submission of such plan to federal officials.

5-21 Federal Funds Reappropriation (SB 1177) Requires that federal funds received by the State Board of Education, the Department of Education, and the Advisory Council on Vocational Education be appropriated by the Budget Act.

5-22 Psychological Interns (SB 1177) Authorizes community colleges to employ psychological interns to augment existing student health care services.

Legislation Introduced But Not Enacted

5-23 Report Distribution (AB 43) Would provide that no state agency shall distribute any report unless it has been specifically requested or is specifically required to be distributed by statute.

5-24 Administrative Procedures (AB 215) Would require that a copy of each issue of the state Administrative Code Notice Supplement be supplied to each member of the legislature in addition to each standing committee, would require that the informative digest in the statement of a new state agency regulation be drafted in a format similar to the Legislative Counsel's Digest and would require cost estimates in the statement; to provide that new and emerging regulations shall not be invalidated if there is substantial compliance with the notice and summary requirements; would authorize any interested person to seek injunctive relief as to the validity of any agency regulation.

5-25 Validating Act (AB 419) Would enact the Third Validating Act of 1979, which would validate the organization, boundaries, acts, proceedings, and bonds of counties, cities, and specified districts, agencies, and entities, including community colleges.

5-26 Validating Act (HB 420) Would enact the Second Validating Act of 1979, which would validate the organization, boundaries, acts, proceedings, and bonds of counties, cities, and specified districts, agencies, and entities, including community colleges.

5-27 Validating Act (HB 421) Would enact the First Validating Act of 1979, which would validate the organization, boundaries, acts, proceedings, and bonds of counties, cities, and specified districts, agencies, and entities, including community colleges.

5-28 Student Discrimination (AB 224) Would prohibit discrimination against students in the sale or rental of housing.

5-29 Student Activities Fees (AB 833) Would authorize community college student governments to collect a $10 activities fee from each student if approved by a majority of the students; part-time students would be assessed a pro rata fee and exception for any student could be made.

5-30 Funding Formula (AB 871) Would provide that community colleges contracting with private postsecondary institutions for vocational training will be reimbursed only for the amount of the contract plus reasonable administrative and support costs. Currently full apportionments are credited to the public entity contracting with a private institution for such services.

5-31 Retirement (AB 979) Would eliminate the current requirements that a certified employee must be 55 years old and been employed full time during the preceding five years in order to take advantage of a program that allows reduction to part-time work without losing specified retirement benefits.

5-32 Part-Time Employees (AB 1550) Would substantially revise the existing classification scheme for community college certified employees by creating additional categories and by restricting the number of certain types of part-time employees; would provide pro rata benefits for some part-time employees; would require the Chancellor's Office to provide a report on part-time employment in community colleges throughout the state.

5-33 Taxation (SB 17) Would provide that the full cash value of property, as appraised in the 1975-76 fiscal year and as of the 1975 lien date, shall be the value of such property at the tax levels for the 1975-76 fiscal year as indicated on the tax bill for such fiscal year. This bill is in response to Proposition 13 which provided new method of assessing and taxing real property using 1975 as a base year.

5-34 Parental Liability (SB 70) Would increase the liability of parents and/or guardians of a minor whose willful misconduct results in injury, death, or property damage or injury, death, or property damage to people and property related to school and community college districts from $2,000 to $5,000.

5-35 Salary Increases (SB 91) Would appropriate supplemental funds to provide salary and benefit increases that were vetoed by the governor in the 1978 budget bill.

5-36 Meetings (SB 110) Would exempt local agencies from complying with current law that provides for notice requirements for special meetings if specified emergency situations exist; would provide, however, that notice be given to appropriate bodies such as newspapers, radio, and television as soon as possible after the special meeting.

5-37 State Expenditures (SB 165) Would create the Commission on State Finance composed of members of the legislative and executive branches which would provide quarterly and annual reports and forecasts on state revenues and expenditures; would prohibit the legislature from enacting and the governor from signing general fund appropriations bills in excess of the forecasted revenues as provided by the State Finance Commission.

5-38 Super-Board (SB 252) Would create a super board as of 1983 over all higher education in the state--the University of California, the state colleges and universities, and the community colleges. The board would assume the powers of each of the current segments' boards plus the duties of the Postsecondary Commission, the Student Aid Commission, and any duties related to higher education now performed by the State Department of Education. Would also provide for 6-8 regional subdivisions of the University to provide for regional coordination.

5-39 Tax Funds Use (SB 292) Would provide that certain percentages of the revenues generated by state sales and use taxes be made available for school and community college districts instead of being placed in the state General Fund.

5-40 Funding Formula (SB 323) Would require that all students enrolled in apprentice programs at any level be counted separately from regular students; would provide a separate funding mechanism for apprentice students; and would prohibit out-of-district fees for apprentice students.

5-41 Legislative Review (SCA 4) Would alter the state constitution, if approved by the electorate, so that the Legislature could nullify state agency regulations.

5-42 Super Board (SCA 13) This is the constitutional amendment to accompany SB 252 that would create a super board over all public higher education.

COLORADO (6)

Legislation Enacted

6-1 Mandatory Retirement (HB 1020) Provides that the mandatory retirement age is 70 but permits exceptions to the regulation; also requires that all individuals be informed in writing from three to six months prior to reaching age 70 that they are reaching the retirement age.

6-2 Student Aid (HB 1039) Eliminates the Undergraduate Fellowship Program.

6-3 High School Equivalency (HB 1088) Provides for the establishment of requirements that will permit state residents who are 17 or older to earn high school equivalency certificates.

6-4 Construction Procedures (HB 1146) Requires public works contractors engaging in contracts with public entities in excess of $10,0000 to execute a penal bond with the appropriate public entity; also permits public entities to require the execution of a penal bond by contractors for projects less than $10,000.

6-5 Capital Funds (HB 1156) Makes changes in the provisions relating to the Capital Construction Fund.

6-6 Faculty Due Process (HB 1234) Provides that teachers who are age 70 instead of age 65, cannot be given or retain tenure; provides that hearings on the dismissal of a teacher shall be heard before a Hearing Officer rather than a three-member panel; permits the Hearing Officer to be selected by the school board and the affected teacher from a list of three possible Hearing Officers; requires a Board to give its reasons in writing if it dismisses a teacher over the Hearing Officer's recommendations; and permits a teacher to appeal a dismissal after a hearing to the Court of Appeals rather than the district court.

6-7 Construction Payments (HB 1239) Addresses the matter of payment to contractors who are constructing public works; permits the retention of a percentage of the funds owed a contractor until satisfactory completion of a project as well as providing other regulations related to payment of contractors.

6-8 Institutional Construction (HB 1498) Directs the Colorado Commission on Higher Education to recommend to the General Assembly no later than January 15, 1980, that the Auraria higher education center and the constituent institutions be terminated, merged, continued in present form, or placed under some form of institutional governance after consultation with the appropriate units and public hearings.

6-9 Energy Use Systems (SB 20) Provides that when state agencies are analyzing the life-cycle costs for construction in terms of energy use, they must compare at least three instead of two system alternatives and at least one of them must be a solar energy system.

6-10 Student Aid (SB 52) Creates a Student Loan Guarantee Program and establishes a loan guarantee division in the department of higher education with a director to administer the program; also establishes a student obligation bond program and a state authority to administer the program.

6-11 Student Aid (SB 82) Provides for the establishment of a financial assistance program for postsecondary students. Provisions include waiving tuition for certain groups of dependents such as those whose parent is a prisoner of war or killed in the line of duty as a policeman or fireman; permitting veterans to pay 50% tuition rates; permitting use of state funds to match federal funds for student loan purposes; establishing a scholarship and grant program; establishing an undergraduate fellowship program which would provide for reciprocal tuition agreements with other states; and providing for a work-study program.

6-12 Residency (SB 137) Makes changes in the residency requirements for tuition purposes by eliminating the qualification "full-time" before the word student and by eliminating the provision that twelve-month continuous residence while attending a college or university does not qualify one for in-state status and instead simply requiring twelve-month continuous residence.

6-13 Temporary Appointment (SB 229) Prohibits temporary appointments to fill permanent positions without the approval of the state personnel director; provides guidelines for state agencies entering into personal service contract agreements and places final authority over such contracts with the state personnel director.

6-14 Filing Requirements (SB 229) Makes changes in the public official disclosure part of the Colorado Sunshine Law by providing that filing rquirements must be made within 30 instead of 45 days of election.

6-15 Uniform Tuition (SB 249) Requires that tuition fees and charges for individuals enrolled in nonsecondary curriculum in area vocational schools be uniform for any group classification.

6-16 Audit Reports (SB 304) Provides a penalty for any person disclosing the contents of a state auditor's report prior to filing or approval.

6-17 Appropriation (SB 525) Appropriates $37,827,014 for the state community colleges and $6,493,025 for the local community colleges.

Legislation Introduced But Not Enacted

6-18 Capital Funds (HB 1381) Would have provided capital funds for a fine arts building at a community college.

6-19 State Boards (HB 1519) Would have abolished the State Board for Community Colleges and Occupational Education and created a State Board for Vocational Education and individual governing boards for the state community colleges.

6-20 Faculty Due Process (SB 51) Would have rewritten the statutory provisions dealing with grounds and procedures for terminating higher education faculty under various conditions including times when a reduction in force is necessary.

6-21 Educational Service Contracting (SB 54) Would have permitted the Colorado Commission on Higher Education and state institutions of higher education to contract with other public and private postsecondary institutions for educational services provided that the state share of such contracts did not exceed 75% of the contract costs and that the students' share was not less than 25%.

6-22 Board Membership (SB 126) Would have provided that no higher education governing board whose members are appointed shall have representation of one major political party in excess of one member more than the other major political party.

6-23 State Boards (SB 356) Would abolish the current State Board for Community Colleges and Occupational Education and establish two separate boards in its place--one for vocational education and one for community colleges.

6-24 Information Systems (SB 494) Would have created a new division of information systems coordination within the division of higher education in order to coordinate the informational system needs of higher education institutions.

6-25 Teacher Certificate Renewal (SB 406) Eliminates the requirement of completion of a "professional growth plan" in order for teacher certificate renewal.

CONNECTICUT (7)

Legislation Enacted

7-1 Appropriation (HB 7540) Appropriates operating funds for higher education institutions including $27,085,800 for community colleges. This amount was provided before a new collective bargaining agreement was reached. When there is an agreement, the above figure probably will be modified upwardly.

7-2 Facility Use Extension (HB 7678) Provides in part for the extension of the temporary license of the Northwestern Connecticut Community College group day care home until July 1, 1980 while the Department of Administrative Services completes the process of acquiring and renovating a facility which will meet the requirements for full licensure.

7-3 Collective Bargaining (HB 7678) Provides, in part, that collective bargaining agreements which expire prior to agreement on a new contract will continue in force until such time as a new agreement is reached and approved by the General Assembly.

7-4 Facility Needs Projection (SB 223) Amends previous legislation by providing that all state agencies must annually submit long-range facility-projection needs for a minimum of five rather than three years.

7-5 Federal Fund Control (SB 751) Provides that a copy or summary of any application for federal funds by state agencies or institutions, except research grant applications, must be filed with the General Assembly's Office of Fiscal Analysis.

7-6 Capital Funds (SB 1241) Appropriates funds for capital improvements including $660,000 for two community colleges.

7-7 Construction Procedures (SB 1685) Provides for expedited bidding procedures and award of construction contract to rebuild the student center at one community college which was destroyed by fire.

Legislation Introduced But Not Enacted

7-8 Veterans Tuition Exemption (HB 5432) Would expand the state policy of exempting veterans from tuition and fees charged by higher educational institutions to include fees charged for extension and summer program course work.

7-9 Federal Funds Control (HB 5432) Would require legislative approval of all agency applications for federal funds and would provide for legislative appropriation of federal funds.

7-10 Federal Funds Control (HB 6185) Would require that all applications for federal funds be submitted to a legislative committee for review.

7-11 Student Activity Funds (HB 6306) Would eliminate the requirement that at least 40% of the students must participate in a referendum to determine whether a student government could be given complete control over student activity funds and would provide no minimum participation level.

7-12 Pre-Audit Controls (HB 6307) Would provide a clear definition of the authority and responsibility of the Board of Trustees of Regional Community Colleges with respect to fiscal resources in order to eliminate pre-audit controls currently exercised by noneducational agencies.

7-13 Community College Transfers (HB 6317) Would guarantee, within available funds, that community college graduates who are recommended by their community college will be admitted to the junior year at a state college or The University of Connecticut in the program for which they have successfully prepared.

7-14 Student Aid Eligibility (HB 6539) Would extend eligibility for the state scholarship program to any student based on need and academic potential, rather than to just those persons, primarily high school students, who have never previously attended an institution of higher education.

7-15 Collective Bargaining (HB 7832) Would transfer responsibility for negotiating collective bargaining agreements for community colleges from the Board of Trustees of Regional Community Colleges to the Board of Higher Education.

7-16 Federal Funds Control (SB 222) Would provide the legislature, rather than the governor, with control over the appropriation of federal funds.

7-17 Federal Funds Control (SB 753) Would require legislative approval of agency application for federal funds and would give the legislature the power to allocate federal funds.

DELAWARE (8)

Legislation Enacted

8-1 Appropriations General appropriations bill. Appropriates $15,800,000 for operating expenses for Delaware Technical and Community College and $1,000,000 in bond monies.

FLORIDA (9)

Legislation Enacted

9-1 Cost Reduction Incentives (HB 302) Authorizes community college boards of trustees to adopt programs of meritorious service awards for employees who propose ideas or procedures that result in the elimination or reduction of expenditures or the improvement of operation; award is not to exceed the greater of $2,000 or 10 percent of the first year savings.

9-2 Retirement (HB 308) Authorizes community colleges to permit retired personnel to remain under state agency's group insurance policies.

9-3 Per Diem (HB 322) Increases reimbursement for mileage from 14¢ to 17¢/mile in 1979-80, and to 19¢/mile in 1980-81.

9-4 Handicapped Access (HB 504) Amends previous legislation to provide that a state body must meet in a building accessible to the handicapped if requested to do so 48 hours instead of seven days before the scheduled meeting.

9-5 Construction Procedures (HB 730) Repeals provision requiring payment of prevailing wage in all construction contracts by public bodies.

9-6 Local and State Board Authority (HB 951) Authorizes community college boards of trustees to enter into contracts with presidents setting forth terms and conditions of employment and provides that boards may furnish the president with an auto or an allowance in lieu of the auto; requires district boards to adopt

127

minimum standardards related to (1) the employment and dismissal of personnel, (2) student activities, benefits, and services, and (3) the establishment and discontinuance of programs as well as services relating to community service programs; authorizes the boards to develop and produce work products subject to trademark, copyright or patent statutes and to develop regulations pertaining to such products; requires the State Board of Education to prescribe minimum standards for community colleges related to conditions of employment, curriculum development and graduation requirements, admissions and student activities, budgeting and accounting, information systems, and the waiver of registration and tuition fees among others.

9-7 Performance Audits (HB 1046) Authorizes the Auditor General to make performance audits of all governmental entities at any time; deletes existing authority permitting local agencies to pay for independent audits; requires local governmental entities to pay for a post-audit within six months after the end of the fiscal year if the Auditor General fails to perform such an audit and that such audit be submitted to the Auditor General no later than seven months after the end of the entity's fiscal year.

9-8 Collective Bargaining (HB 1086) Relates to the registration of public employee labor organizations. Among other things, it requires any employee organization seeking to become a certified bargaining agent for public employees to register with The Employee Relations Commission before it can participate in collective bargaining activities.

9-9 Tax-Approval (HB 1157) Authorizes voters in Palm Beach County to vote annual one-half mill ad valorem tax for use of Palm Beach Junior College for nonrecurring operating capital outlay and maintenance with no reduction in state funds.

9-10 Collective Bargaining (HB 1493) Makes technical changes in and slight expansion of definition of managerial personnel for purposes of collective bargaining, sets up procedures for intervention by other employee organizations; also provides for the enforcement of the Public Employee Relations Commission's orders, and the decertification of bargaining agents.

9-11 Collective Bargaining (HB 1494) Makes minor changes in the Public Employee Relations Commission including but not limited to eliminating the part-time commission member, the set salaries, and the right of the governor to remove a member before the end of the term.

9-12 Collective Bargaining (HB 1570) Establishes procedures for handling charges of unfair labor practices by the Public Employee Relations Commission, and authorizes any interested citizen to go to circuit court to enforce a Commission order.

9-13 Course Approval (HB 1595) Requires community colleges and universities to withdraw all requests for course approval from the Veterans Administration for programs offered in correctional facilities which are provided through state funding at no cost to inmates.

9-14 State Agency Bills (HB 1653) Makes changes in the Administrative Procedures Act including but not limited to the following: permits agencies to designate a reporter to index and publish agency orders; requires that a statement of a proposed rule be sent to individuals requesting it; and provides guidelines for declaratory statements by educational units which involves outlining the applicability of a rule, order, or regulation to an individual who requests such a statement.

9-15 Retirement Benefits (CSHB 109) Provides for an increase in retirement benefits for retirees over the age of 65 and an additional increase for retirees who are not on social security.

9-16 Postsecondary Education Act (CSHB 1689) Creates a new Postsecondary Education Act which draws together existing statues on postsecondary education as well as creating some new ones. Those portions affecting community colleges include but are not limited to the following: Provides for a commission to study the governance, organization, and general operation of postsecondary education in the state and report to the Governor and Legislature by March 1, 1980; explicitly defines the community college mission; repeals previous authorization for the Community College Council and creates in its place an eleven-member Community College Coordinating Board to include nine members from boards of trustees, an at large member, and a student member; defines duties of the Board including the establishment of policies that provide for a coordinated and efficient system; provides for a chief administrator of the Division of Community Colleges within the Department of Education to be appointed by the Commissioner of Education with the concurrence of the Board; identifies community college boards as corporate bodies and defines them as political subdivisions of the state; defines the duties and powers of the boards to include such things as prescribing student performance standards, procedures for denying admission, providing admissions counseling tests to measure communication and computation competencies, clarifying the State Board of Education's responsibilities for defining minimum educational standards; defines a classroom hour in terms of teaching as no less than fifty minutes; changes enrollment projection process for allocation purposes to include a six-year period; permits free enrollment for senior citizens in underenrolled courses; provides for articulation agreements between community colleges and universities; provides for time shortened programs and requires that CLEP or similar exams be offered at least once annually to students; authorizes community college-university consortiums with the possibility of including private institutions; establishes a tuition voucher fund to be used for students attending private institutions; requires the State Board of Education to adopt minimum standards of college-level communication and computation skills and appropriate tests that shall be followed by universities and community colleges; provides for greater flexibility in determining the bargaining unit at each postsecondary institution.

9-17 Community Education (SB 382) Changes relevant terms and definition in the Community Education Act from community school to community education and expands the community school concept from a school based concept to a community center approach.

9-18 Liability Protection (SB 474) Authorizes all agencies of government to provide an attorney to defend any civil action brought against an employee with the agency authorized to expend funds to pay any judgment against an employee unless the employee caused harm intentionally, and relieves all employees of any personal liability for any act committed in the course of employment unless the employee acted in bad faith.

9-19 Local Board Authority (SB 585) Authorizes community college boards to adopt rules governing direction and flow of traffic and to enforce parking rules through the levying of fines; funds collected from parking infractions to be used for student financial aid.

9-20 Expulsion for Drug Use (SB 6012) Substantially revises previous statutes relating to postsecondary students by removing all references to automatically expelling students formally charged with possession or sale of controlled substances and provides (1) that students are subject to state and federal laws, local ordinances, board of trustee rules; (2) that violations of laws, ordinances, and rules may subject violators to appropriate action by the institution; and that the president of an institution has the authority to expel, suspend, or otherwise discipline any student violator.

9-21 Retirement (SB 1226) Authorizes retired member of Florida Retirement System to change beneficiary after receipt of benefits, if beneficiary is alive and well (presumably divorced) with benefits to be recomputed to reflect changes in life expectancy; also permits FRS members to designate more than one beneficiary.

9-22 Appropriations (SB 1297) General Education Appropriation bill. Provides $220,852,341 for 1979-80 and $239,043,210 for 1980-81 in general operating funds for community colleges; also provides community colleges with capital funds in the amount of $27,192,240 for 1979-80 and $2,573,035 in 1980-81.

9-23 Per Diem (SB 1319) Increases per diem allowance for public employees from $35 to $40 per day.

9-24 Health Insurance (CSSB 162) Authorizes all governmental bodies to provide health, accident, and hospitalization insurance for dependents of employees; also permits the government unit to pay portion of premium cost.

9-25 Sick Leave (CSSB 209) Amends the Florida Statutes by adding a new section which makes the current community college sick leave language law and providing for a sick leave pool for full-time employees; the sick leave pool would permit employees to voluntarily contribute sick leave time to the pool which would be available to all members of the pool once they have depleted their own sick leave time.

9-26 Competency Requirement (CSSB 627) Extends to community colleges operating adult high schools as well as other state and local entities that award a high school diploma the provisions of the state administered assessment program which in essence requires that students meet certain competency levels before being eligible to graduate from high school.

Legislation Introduced but not Enacted

9-27 Public Records Exemption (HB 163) Would authorize any public employee not required to file financial disclosure statements to request that home address, home phone number, and social security number be exempt from public records law and denied public access; however, would have permitted employee organizations to have access to the information in collective bargaining elections.

9-28 Enrollment Reports (HB 292) Would require the Department of Education to submit on behalf of universities and the Division of community colleges on behalf of community colleges planned enrollments by disciplines and levels for individual universities and community colleges; also would provide that any funds available because of a reduction in assigned enrollments be allocated among all universities within the system.

9-29 Retirement (HB 359) Would permit members of Florida Retirement System to receive up to 4 years credit for military service in National Guard or Federal Reserve even though same 4 years service is applied to another state or federal retirment system.

9-30 Building Regulations (HB 977) Would require all public buildings to provide adequate number of windows to provide natural ventilation.

9-31 Funds for Noncredit Courses (HB 1022) Would amend community college funding formula to permit the use of funds for noncredit life improvement courses for those over 62 years of age.

9-32 Benefit Increases (HB 1309) Would increase annual cost of living increase for retirees under the state retirement systems from 3 percent to 5 percent.

131

9-33 Public Employee Legal Defense (HB 1370) Would authorize all state agencies to use funds for legal defense in any civil action brought against an employee for action arising out of official duties.

9-34 Building Name Change (HB 1446) Would name an administration building at the Hernando County campus of Pasco-Hernando Community College as John R. Culbreath Building.

9-35 Post Retirement Earnings (HB 1625) Would increase to 600 hours or $3000 per year the time a retiree under all state retirement systems can work and earn money without losing benefits, and would prohibit reemployment within one month of retirement.

9-36 Employee Misconduct (CSHB 60) Would have provided for loss of benefit and retirement rights for all public officials and employees found guilty of felony involving breach of public trust while employed.

9-37 Personnel Records (CSHB 203) Would require all public employers to permit employees and former employees access to their own personnel records at any time.

9-38 Retirement (CSHB 1569) Would place all publicly financed retirement systems under state law; also would make changes in disability determination procedure applying to all public employees joining a state retirement system after January 1, 1980, by requiring the employee to demonstrate inability to perform other work and actual wage loss, in addition to being totally and permanently disabled.

9-39 Collective Bargaining Exemption (SB 155) Would exempt employees funded by CETA from being entitled to collective bargaining rights.

9-40 Athletic Scholarships (SB 272) Would require at least 50 percent of all athletic scholarships awarded by community colleges to be given to graduates of Florida public or private high schools.

9-41 Public Employee Misconduct (SB 310) Would provide for loss of benefits and retirements rights for any person under any public retirement system if convicted of a felony in which public employment or influence was used.

9-42 High School Student Programs (SB 404) Would add vocational, occupational and technical instruction to academic advanced programs now offered high school student by community colleges.

9-43 Liability Coverage (SB 461) Would permit all governmental agencies to indemnify its officers and employees against liability and to pay any costs of judgment in a civil action arising within the scope of employment.

9-44 Collective Bargaining Fines (SB 527) Would provide that fines levied by the Public Employees Relations Commission against employee organizations go to the public employer if an injunction has been initiated or to the General Revenue Fund without an injunction; also permits PERC the alternative of setting fines based on appropximate cost of the strike to the public even if above the current $20,000 fine limit.

9-45 Construction Procedures (SB 582) Would repeal provision requiring payment of prevailing wage in all construction contracts by public bodies.

9-46 Community College Construction Design (SB 688) Would require multi-purpose community use of education facilities be considered in development of specifications for any new community college building.

9-47 Life Insurance (SB 849) Would permit all governmental bodies to self-insure for group life insurance.

9-48 Construction Procedures (SB 1156) Would have prohibited all governmental bodies from adopting rules requiring the use of the prevailing wage in construction projects.

9-49 Public Hearing Record (SB 1179) Would require all boards and commissions to include in notice of public hearing, advice to the effect that a record of the proceedings will be needed and should be arranged for if a person decides to appeal a decision of the governmental body.

9-50 Per Diem (SB 1197) Would make current $35 per diem for public employees mandatory with all state agencies.

9-51 Insurance Payments (SB 1200) Would permit all state agencies now authorized to enter into group insurance for life, health, accident, hospitalization, and annuity to pay part of premiums for retired employees.

9-52 Employee Relations (CSSB 935) Would outline specific definitions, standards, and procedures relating to public employees ethics, defining "breach of public trust"; prohibiting employees from accepting gifts or benefits to influence job decisions or from using personal position for private advantage; requiring disclosure of possible conflict of interest prior to voting, with penalties for breach of public trust.

GEORGIA (10)

Legislation Enacted

10-1 Retirement Provisions (HB 145) Amends the Teachers' Retirement System Act so as to prevent anyone who commits murder or voluntary manslaughter of a member of the Retirement System from being eligible to receive retirement benefits as a beneficiary of the deceased member.

10-2 Income Tax (HB 168) Amends the State Income Tax Law to provide that no withholding tax need be deducted for an employee who certifies he incurred no tax liability in the previous year and anticipates none in the current year.

10-3 Liquor Restriction (HB 172) Provides that no liquor shall be sold within 200 yards of a college campus.

10-4 Retirement Provisions (HB 175) Amends the Teachers' Retirement System Act by providing service credit for service under the Employees' Retirement system after establishing at least five years service as a contributing member of the Teachers' Retirement System.

10-5 Multi-year Contracts (HB 455) Authorizes the Department of Administrative Services to execute multi-year lease/purchase contracts on behalf of State agencies, including the Board of Regents.

10-6 Emergency Notices (HB 626) Requires all food service establishments, including college cafeterias, to post notices about proper procedures to assist persons who choke on food; persons rendering such emergency aid will not be liable for damages.

10-7 Educational Accountability (HR 277) Creates a subcommittee in the House of Representatives to be known as the Educational Accountability Subcommittee to consult with appropriate educational bodies and organizations and submit recommendations on accountability measures in every segment of the State's educational program to the 1980 session of the General Assembly.

10-8 Deferred Compensation Programs (SB 3) Removes the requirement that the state, counties, municipalities and other political subdivisions which have deferred compensation programs receive IRS approval of their program.

10-9 Health Service Facilities (SB 40) Requires the issuance of a certificate of need before any new institutional health services or facilities are developed but excludes infirmaries operated by education institutions.

10-10 Pay for Military Duty (SB 61) Reduces from thirty to fifteen the number of days a public employee may be paid his regular salary when absent for military duty.

10-11 Title Use (SB 69) Amends an Act regulating advertising by clarifying the use of the terms "Doctor" or "Dr." by requiring individuals who use such terms to designate the degree to which he is entitled by reason of his diploma of graduation from a school or other entity.

10-12 New Institution (SB 99) Enabling legislation to give the Thomas County Higher Education Authority the right to levy taxes and expend tax monies to support the establishment of a local college; this becomes effective only if the constitutional amendment to give the General Assembly the power to set up a county authority is passed by the voters in November 1980.

10-13 New Institution (SR 101) A constitutional amendment which authorized the General Assembly to provide a public authority in one county to operate a college in that county; will be voted on in November 1980 by the electorate.

10-14 Travel Expenses (SR 101) Authorizes the State Department of Audits and the Office of Planning and Budget to develop rules and regulations governing travel expenses of state employees.

10-15 Charitable Contributions (SR 135) Creates the Charitable Contributions Study committee to determine whether charitable organizations shall be required to account to and inform donors as to how donations are spent.

Legislation Introduced but not Enacted

10-16 Open Meetings Regulations (SB 172) Would amend the present open records law by providing that all officially called meetings of public agencies shall be open to the public; previously, only meetings where official actions were taken had to be open to the public.

HAWAII (11)

Legislation Enacted

11-1 Appropriations Appropriates $21,817,147 to community colleges for 1979-80. Also appropriates $795, 516 for systemwide support for 1979-80.

11-2 Capital Funds Appropriates $1,369,000 for capital improvement projects for community colleges for 1979-80.

IDAHO (12)

Legislation Enacted

12-1 Supplemental Services (HB 280) Provides that no levy in excess of $0.80 on each $100 of assessed valuation may be made unless a supplemental levy is authorized through an election, such approved levy to be exempted from the 1 percent property tax limitation.

12-2 Appropriations (SB 1219) Appropriates $3,464,800 for the two community colleges in the state.

12-3 Capital Funds (SB 1237) Appropriates $5,861,100 for capital projects including $380,500 for capital projects at community colleges.

ILLINOIS (13)

Legislation Enacted

13-1 Liquor Ban Removal (HB 339) Eliminates the ban on the delivery of alcoholic beverages to buildings belonging to or under the control of the state and its subdivisions.

13-2 National Guard Scholarships (HB 387) Amends National Guard Scholarship Act by making specified company grade officers eligible for education benefits.

13-3 Retirement (HB 589) Amends Universities Retirement Article by removing Board authority to reduce benefits by any amount which participants may owe to an employer covered by the System.

13-4 Retirement Fund Investments (HB 591) Amends Universities Retirement Article by permitting Board to invest up to 10 percent of excess cash assets in pooled or comingled funds.

13-5 Retirement (HB 592) Amends Universities Retirement Article by prohibiting receiving service credit for previous employment when the employee is eligible to receive employer paid benefits from previous employment.

13-6 Disability (HB 593) Amends Universities Retirement Article by requiring a disabled employee to return to work within fifty days after disability benefits expire in order to continue protection under the System.

13-7 Retirement (HB 594) Amends Universities Retirement Article by removing compulsory retirement at age 68.

13-8 Retirement Refund (HB 595) Amends the Universities Retirement Article by allowing a participant laid off work for more than 120 days to receive a refund of retirement contributions.

13-9 Pension Increases (HB 597) Amends Universities Retirement Article by providing for an automatic 3 percent annual increase in pensions.

13-10 State Board Membership (HB 638) Amends Community College Act by removing State Superintendent of Education as a member of the Community College Board and adds a member appointed by the governor.

13-11 Employer Retirement Contribution (HB 700) Amends Universities Retirement Article by providing for employee contributions to system to be picked up by the employer and treated as employer contributions for Internal Revenue Services purposes; effective January 1, 1980.

13-12 Fiscal Note Act (HB 849) Would amend fiscal note act by making it applicable to local governments and districts as well as state government.

13-13 Liability (HB 1148) Relates to Illinois Community College Board Liability Insurance. Removes the $100,000 liability insurance limitation for the ICCB.

13-14 Retirement Benefits (HB 1328) Amends Universities Retirement Article by increasing employer contribution death benefit to nondependent beneficiaries from $1,000 to $2,500.

13-15 Unemployment Compensation (HB 1464) Allows a local public entity to insure itself against and pay, from the tort fund, claims arising under the Unemployment Insurance Act.

13-16 Capital Funds Use (HB 1759) Amends Community College Act by providing that Capital Development Bond Act Funds shall be used to correct buildings defectively constructed; if the district recovers damages for faulty construction, the state is to be reimbursed.

13-17 Tuition Chargeback (HB 2089) Removes the requirement that out-of-district students qualified to attend community college must notify the common school board by September 15 in order to have chargeback tuition paid.

13-18 Adult-Education (HB 2210) Provides that a common school or community college board has the authority to provide instruction in courses regularly accepted for elementary and high school graduation in their adult education programs; provides a funding mechanism for these types of programs which are for recipients of financial aid under the Illinois Public Aid Code as well as adults and youth who have had their education programs interrupted; provides that an education plan be established for each participant and that no tuition and fees be charged to students for which state or federal reimbursement is provided; and provides that community colleges offering classes under these programs must submit projects to the State Superintendent's office for approval.

13-19 Capital Budget Plan (HB 2416) Amends Bureau of Budget Act by requiring each state agency to prepare an annual long-range capital expenditure plan to be submitted to the Bureau of the Budget no later than January 15, each year.

13-20 Capital Funds (HB 2426) Reappropriates funds to the Capital Development Board for ongoing projects; community colleges will receive $29,478,691.

137

13-21 Capital Funds (HB 2427) Appropriates funds for new capital projects; community colleges will receive $123,763,000.

13-22 Tax Change (HB 2569) Abolishes ad valorem personal property tax and replaces lost revenues with additional 4.8 percent income tax on corporations and a tax on the invested capital of payers of message, gas, and utilities taxes.

13-23 Tax Change (HB 2730) Amends various acts to adjust the unit's authorized maximum bond indebtedness because of the loss of personal property tax base. Units included are the school districts, community college districts, special districts, and municipalities and counties. Community colleges will be eligible to increase their tax anticipated warrants from 75 percent to 85 percent of the tax levy for operational services.

13-24 Tax Change (HB 2811) Amends Interest Act to remove ceiling on mortgages for residential real estate, includes an amendment on interest rates for bonds, and increases payable interest rate from 8 percent to 9 percent or 70 percent of the prime commercial rate whichever is greater.

13-25 Student Aid (HJR 32) Urges state scholarship commission to provide summer term 1979 awards.

13-26 Tax Authorization (HJRCA 40) Provides that no law shall authorize an increase in the maximum tax rate by a special district unless approved by a three-fifths vote in each house.

13-27 Student Aid (HR 225) Urges Scholarship Commission to study resources available to postsecondary education.

13-28 Tenure (SB 147) Amends the Community College Act by providing for faculty tenure after serving three consecutive probationary school years; also outlines rules and regulations concerning the dismissal of tenured and nontenured faculty members including due process procedures.

13-29 Remedial Programs (SB 168) Requires the Board of Higher Education to develop guidelines emphasizing postsecondary remedial programs in community colleges, and to de-emphasize such programs in state colleges and universities.

13-30 Traffic Policies (SB 177) Amends the Community College Act to provide that traffic fines shall be paid in accordance with policy of local community college board and enforced by community college security department.

13-31 Student Aid Payments (SB 228) Permits the Scholarship Commission to make advance payments to an institution of up to 75 percent of announced grants to that institution; also provides 2,000 annual academic scholarships.

13-32 Retirement (SB 280) Would make technical changes in the Universities Retirement System.

13-33 Retirement Appropriation (SB 318) Appropriates $56,207,800 for higher education employer contributions to the State Universities Retirement System. Includes $7,074,700 for community college system.

13-34 Audits (SB 342) Requires the Board of East St. Louis Community College to provide annual audit only for fiscal years in which the Auditor General does not peform a compliance audit.

13-35 Appropriation (SB 383) Appropriates funds for community colleges for 1980. Total appropriations for community colleges is $144,113,750.

13-36 Funding Formula (SB 384) Provides for community college funding rates and formulas. The following rates will apply for FY 1980: Baccalaureate - $25.01, Business Occupational - $16.39, Technical Occupational - $25.22; Health Occupational - $41.73; General Studies - $6.45. Also provides for the distribution of the disadvantaged student grant funds for remedial and developmental programs as well as equalization funding for districts whose assessed valuation per in-district full-time equivalent student is below the statewide average.

13-37 Student Employment (SB 438) Amends Unemployment Insurance Act by defining employment as excluding work performed in employ of school or college by an enrolled student.

13-38 Fund Transfer (SB 586) Amends FY 1979 appropriations to Governor's Office of Manpower in order to make transfer of funds.

13-39 Scholarship Applications (SB 907) Amends Higher Education Student Assistance Law of School Code; grants authority to accept applications for scholarships from students who are eligible to apply for admission to qualified institutions.

13-40 Scholarship Award Increase (SB 952) Increases maximum awards by State Scholarship Commission by $100 ($1,550 to $1,650) for full-time students and $50 ($775 to $825) for part-time students.

13-41 Capital Funds (SB 1436) Appropriates funds for various activities including $850,000 to repair a roof at one community college.

13-42 Student Aid (SB 1438) Appropriates funds for various activities including an additional appropriation of $4.5 million to the Illinois State Scholarship Commission so that the ISSC can issue more grants during the 1979-80 year. In the immediately prior year, the ISSC discontinued giving grants in mid-September because of insufficient funds.

13-43 Data Reporting Coordination (SB 1444) Appropriates $30,000 to the State Board of Education to be used by the Illinois Community College Board to coordinate vocational education data reporting procedures of the local community college districts.

Legislation Proposed but not Enacted

13-44 Retirement Appropriation (HB 8) Would make appropriations to Judges, Downstate Teachers, Chicago Teachers, Universities and State Employees Retirement systems.

13-45 Capital Funds (HB 501) Would permit the Capital Development Board to be the guarantor of bonds issued by any school district when the district is unable to sell any bonds due to inability to find purchasers.

13-46 Leaves of Absence (HB 512) Would amend School Code and Community College Act by providing that tenured teachers elected to the General Assembly shall be granted leaves of absence upon request.

13-47 Tax Reduction (HB 548) Would abolish ad valorem personal property tax and replace revenue lost with new tax income after referendum approval.

13-48 Retirement (HB 587) Would amend Universities Retirement Article by deleting requirement that spouse be married to employee before retirement in order to qualify for survivors insurance benefits.

13-49 Labor Relations Board (HB 800) Would create a State Labor Relations Board to supervise labor elections for public employee labor orgnizations, to hear complaints, and investigate charges of unfair labor practices in public sector.

13-50 Employee Due Process (HB 905) Would amend the School Code to delete the requirement that students enrolled in state universities engage in courses in physical education; also would amend the Public Community College Act by requiring a hearing for a teacher with two or more years of experience who is to be dismissed for cause.

13-51 Employee Dismissals (HB 1015) Would amend the Community College Act by requiring employee dismissals be based on motions of majority of board members.

13-52 Employee Due Process (HB 1016) Would provide for a hearing for a teacher with two or more years of experience who is to be dismissed for cause.

13-53 Job Training Program Funding (HB 1235) Would amend Civil Administrative Code by providing that the Department of Business and Economic Development shall fund agreements for job training programs betweeen new or expanding industrial firms and institutions of higher education.

13-54 Job Training Funds (HB 1236) Would appropriate $1,500,000 to the Department of Business and Economic Development to fund job training programs.

13-55 Community College Scholarships (HB 1704) Would amend School Code to allow each member of General Assembly to annually nominate four scholarships to community colleges.

13-56 Capital Funds (HB 1758) Would appropriate $675,000 to Capital Development Board for construction of building projects at Carl Sandburg College.

13-57 Summer Term Student Aid (HB 1083) Would appropriate $68,300 to the State Scholarship Commission for summer term scholarship and grants for 1979.

13-58 Capital Funds (HB 2090) Would appropriate $900,000 to the Capital Development Board for Carl Sandburg Community College to order to correct defects in original construction.

13-59 Student Board Members (HB 2104) Would amend various acts in order to provide for full voting student membership on various university and community college governing boards.

13-60 Annexation (HB 2181) Would amend Community College Act by providing for annexation of nondistrict territory upon approval by two-thirds of appropriate high school boards.

13-61 Fund Usage (HB 2184) Would amend the Community College Act by providing that proceeds from property sale may be used for any purpose after retirement of bonds issued for purchase.

13-62 Program Priority (HB 2369) Would require state agencies to list programs in priority order once every two years.

13-63 Tax Limitation (HB 2563) Would limit property taxes to be extended in 1980 and subsequent years to those amounts established and extended to each purpose.

13-64 Tax Charge (HB 2653) Would abolish ad valorem personal property tax and replace lost revenues with income tax on corporations, partnerships and voluntary trusts.

13-65 Federal Funds (HB 2769) Would amend numerous acts by prohibiting the spending of federal funds by state agencies, other than colleges and universities, except as appropriated by law.

13-66 Auto Parking (SB 450) Would require all state departments and agencies and all units of local governments to purchase only passenger autos which meet federal minimum average fuel economy standards.

13-67 Budget Approval (SB 543) Would require the State Scholarship Commission to submit its proposed budget to the Board of Higher Education.

13-68 CC Board Meeting (SB 625) Would delete requirement that the Illinois Community College Board meet at the Office of the Board of Higher Education on the second Monday after its appointment.

13-69 Collective Bargaining (SB 665) Would amend Community College Act by authorizing colleges entering into labor agreements to pay certain fees for nonunion member employees.

13-70 Board Name Change (SB 774) Would change the name of the Illinois Community College Board to "State Board."

13-71 Waste Treatment Services (SB 1139) Would require that sanitary districts not require local government units or school districts to pay for waste treatment services furnished by district.

13-72 Scholarship Requirements (SB 1262) Would provide that state scholarship recipients must maintain a C average.

13-73 Tax Funds Distribution (SB 1389) Would require that county collectors initiate distribution of taxes collected for school districts to such districts within sixty days of collection.

13-74 Capital Funds (SB 2798) Would increase the total bond authorization under the Capital Development Bond Act.

INDIANA (14)

Legislation Enacted

14-1 Public Meetings (HB 156) Provides technical amendments to the existing open door law for public meetings.

14-2 Retirement Age (HB 1562) Raises the upper limit of the age discrimination law from 65 to 70 years.

14-3 Student Aid Requirements (HB 1997) Amends the regulations pertaining to state scholarships. Changes include but are not limited to the following: permits not-for-profit postsecondary proprietary institutions to receive state scholarship funds; eliminates the requirements that student must be under 24 years old and a U. S. citizen to receive a state scholarshp but specifies that he must be an Indiana resident, and permits transfers between the scholarship fund and the educational grant fund.

14-4 Sick Leave Pay (SB 88) Provides for an employer to make payments in lieu of wages to employees on account of sickness or accident disability; permits the governor to establish a sick pay plan for state employees; and permits each political subdivision to establish a sick pay plan.

14-5 Medical Examiners Board (SB 110) Creates a new Board of Medical Examiners to replace the previous board; gives the board responsibility for determining the qualifications for veterinarians and veterinary technicians as well as issuing licenses.

14-6 Veteran Aid Eligibility (SB 269) Requires the Veterans Affairs Department to determine, on request, the eligibility of a person for a free college education based on his attendance at a home for veterans' children or his mother's or father's status as a disabled veteran.

14-7 Appropriations - Appropriates state funds for community college operating expenses in the amount of $6,423,343 for 1979-80 and $7,293,824 for 1980-81.

IOWA (15)

Legislation Enacted

15-1 Anticipatory Warrants (HF 131) Increases the interest rate of anticipatory warrants to not in excess of 6 percent per annum.

15-2 School Leasing (HF 468) Permits educational boards of directors to lease a portion of a school building even though the remaining portion will be used for school purposes for a period not to exceed four years.

15-3 Tax Exemption (HF 662) Exempts college dormitories from the state hotel and motel tax.

15-4 Appropriation (HF 764) Appropriates $114,800 to a community college for a matching federal grant to provide for the renovation of educational broadcasting facilities and the development of a public radio station.

15-5 Tax Validation (SF 479) Legalizes and validates the levying of certain taxes by the Southwestern Community College during the period 1971 to 1978.

15-6 Appropriations (SF 485) General appropriations bill for merged area schools and community colleges. Appropriates operating funds in the amount of $42,168,500 for 1979-80 and $48,141,500 for 1980-81; appropriates $1,600,000 for 1979-80 and $1,850,000 for 1980-81 for equipment replacement; appropriates $8,700,000 for each year of biennium for state vocational aid to be matched by federal funds; appropriates $200,000 for each year of biennium for additional enrollments; appropriates $511,500 to two merged area schools for radio operations; provides $180,000 for each year of biennium for jointly administered postsecondary vocational programs; and provides $150,000 over the two-year period for the vocational technical tuition grant program.

15-7 Pensions (SF 489) Increases from 44 to 46 percent of the five-year average salary a member retiring after July 1, 1979, will receive at 65 years of age after thirty years of service in the Iowa Public Employees Retirement System.

15-8 Collective Bargaining (SF 499) Increases the mileage reimbursement for public employees to 18 cents/mile in 1979 and 20 cents/mile in 1980; removes conflict with collective bargaining agreements from the Iowa Code to require that the provisions of the collective agreement shall prevail; amends the Iowa Code to provide the future collective bargaining agreements cannot conflict with the Code.

KANSAS (16)

Legislation Enacted

16-1 Capital Outlay Levy (HB 2100) Amends the community college capital outlay tax levy authority by requiring that a protest petition pertaining to a proposed capital outlay levy must be filed with the county election officer rather than the clerk of the community college.

16-2 Financial Procedure (HB 2101) Permits the State Board of Education to pay community college credit hour and out-district state aid entitlements for a fiscal year up to sixty days after the end of the fiscal year. Previously, there was no authority to pay such entitlements after the end of a fiscal year.

16-3 Financial Procedures (HB 1662) Allows community colleges to increase their budget per student by 106 percent of the previous year's budget per student; provides a mechanism for community colleges to increase their general fund budgets as a result of increased utility costs; removes the prohibition of the state providing state aid to community colleges for students who have already taken sixty-four credit hours and who are enrolled in courses that are offered at a location outside the county of the main campus of the community college; and requires the development of a uniform chart of accounts which will be used by all community colleges.

16-4 Adult Supplementary Education Fund (SB 8) Provides for the establishment of an adult supplementary education fund in community college and school districts separate from the adult basic education fund; previously, both funds were combined.

16-5 Financial Procedures (SB 491) Amends the authority of community colleges by permitting them to use capital outlay funds to acquire real property for use as building sites or for educational programs; reduces from ninety to sixty days the time allowed for filing a protest petition calling for an election on the question of capital outlay petition as approved by a community college board of trustees; prohibits a community college from charging out-district tuition to a county where the student involved is a state employee and is enrolled in the course under specific conditions.

16-6 Student Aid (SB 262) Limits tuition grants to students who attend only those accredited independent institutions whose main campus is located in Kansas; also allows the State Board of Regents to use refunded state tuition grant funds and refunded state scholarship funds to make additional grant awards in the same fiscal year.

16-7 Gerontology Programs (SR 1622) Encourages the governing authorities of postsecondary institutions to make geriatrics and gerontology training and research integral components of their health related programs.

KENTUCKY (17)

No Legislative Session in 1979

LOUISIANA (18)

No Relevant Legislation Reported

MAINE (19)

No Relevant Legislation Reported

MARYLAND (20)

Legislation Enacted

20-1 Pension Plan Adjustment (HB 636) Provides for major revisions in the state pension plan affecting all state employees hired after December 31, 1979. The major thrust of the measure is to reduce the amount paid out by the state for retirement. This will be accomplished in three ways: (1) by reducing directly the amount the state will pay, (2) by putting a cap on the cost of living adjustment instead of leaving it open ended, and (3) by integrating the state pension with the social security program, thereby guaranteeing a set dollar amount in retirement benefit to an individual. The ultimate effect will be that the state will pay out about half as much as it has in the past.

20-2 Tuition Waiver (HB 1276) Extends community college tuition waivers to individuals who retired early due to disabilities if permitted by an individual board of trustees.

20-3 Credit Card Use (SB 308) Amends previous legislation on the acceptance of credit cards by public colleges by permitting these institutions to accept credit cards only if the fee to the institution does not exceed 1 percent.

20-4 Civil Liability Coverage (SB 312) Extends state coverage of all settlements and judgments against state employees to community college employees and board of trustee members.

20-5 Capital Funds (SB 359) Authorizes that $2,000,000 in state funds be used for community college capital projects.

20-6 Board Members (SB 531) Eliminates the requirement that certain members of the board of trustees of regional community colleges also be members of local boards of education.

20-7 State Board Program Authority (SB 745) Gives the State Board for Community Colleges statutory authority to designate certain instructional programs as statewide or regional, and authorizes the State Board to make payments for the out-of-county differential; $30,000 is provided in the state budget for this purpose.

Legislation Proposed But Not Enacted

20-8 State Board Authority (SB 307) To provide that the State Board for Community Colleges may adopt any rule or regulation necessary to carry out its powers and duties.

20-9 Faculty Board Membership (SB 848) To enable the President of the Faculty Senate of the Allegany Community College to serve as a nonvoting ex officio member of the board of trustees; to provide that this faculty member shall not be present, however, when matters of faculty compensation and benefits are discussed.

20-10 Budget Request (SB 1009) To require unanimous approval of all counties before any budget request by Wor-Wic Tech Community College, a regional college, is effective.

MASSACHUSETTS (21)

Legislation Enacted

21-1 Appropriation Appropriates $56,257,686 for community college operating expenses.

21-2 Capital Funds Appropriates over $19 million for capital construction for community colleges; most of the amount, around $18 million, is for new construction at one community college.

22-8 Tuition Waiver (SB 97) Would permit community colleges to waive tuition for senior citizens.

22-9 Free Tuition (SB 153) Would provide free tuition for the first two years of college.

22-10 Tax Credit (SB 296) Would provide a state income tax credit for 25 percent of tuition and fees for a child's attendance at college.

MINNESOTA (23)

Legislation Enacted

23-1 Appropriation and Funding Mechanism Appropriates funds for public schools including $174 million for the biennium for the state's 33 AVTIs. Also provides for a new funding mechanism for the AVTIs which will be primarily based on instructional salaries instead of enrollments with the intention of moving to a cost-based funding system.

23-2 Appropriation Appropriates funds for all postsecondary education including $72.3 million for community colleges for the 1980-81 biennium.

23-3 Capital Funds Appropriates funds for capital projects including $300,000 for community colleges.

23-4 Student Aid Makes changes in student aid guidelines. Changes include the following: raises the bond indebtedness ceiling for the State Student Loan Program from $125 million to $200 million; extends eligibility for initial state grant-in-aid awards to third and fourth year applicants; raises the maximum scholarship and grant award from $1,100 to $1,250 in FY 1981 and $1,400 in FY 1982; makes assistance under the AVTI Tuition Subsidy Program available to all qualified students regardless of their age--previously those over 21 were not eligible; and finally classifies parental and applicant data collected for student aid programs as private.

23-5 Student Aid Appropriates $59,649,000 for the biennium to the Minnesota Higher Education Coordinating Board for state scholarships, grants, nursing grants, part-time student grants, work-study awards, AVTI tuition subsidies and assistance for veterans and foreign students.

23-6 Engergy Education An omnibus energy act. Included in its provision is the request that the Minnesota Energy Agency in consultation with representatives of the various postsecondary segments develop a plan for adult and postsecondary energy education.

23-7 Contingency Plans-Reduced Enrollments Directs the Coordinating Board in cooperation with the State Board of Community Colleges to study possible responses of community colleges to projected declining enrollment. Possible actions to be studied include discontinuing or reducing certain community college programs, consolidating or merging community colleges, closing some institutions, merging community colleges with other postsecondary institutions, as well as other possible alternatives.

23-8 Faculty Salary Study Requests the state coordinating board to do a study of faculty salaries in each system and institution as they relate to a variety of factors including sex, rank, length of service, professional preparation, and conditions of employment.

23-9 Minorities Study Directs the Coordinating Board to study ways to attract and retain Latin-Chicano students in postsecondary institutions.

Legislation Proposed But Not Enacted

23-10 Faculty Benefits Would have permitted university and community college faculty to participate in early retirement, extended leaves of absence, and part-time teaching programs.

23-11 Tax Credits Would have permitted a tax deduction for postsecondary educational expenses.

23-12 Veterans Tuition Exemption Would have exempted veterans from tuition payments at public postsecondary institutions.

23-13 National Guardsmen Would have provided tuition supplements for National Guardsmen and would have called for a study to determine the feasibility of awarding academic credit for service school attendance by National Guardsmen.

23-14 Master Plans Would have directed the Coordinating Board to develop comprehensive regional and state plans for higher and vocational education.

MISSISSIPPI (24)

Legislation Enacted

24-1 Tax Relief Measure Provides for a reduction in the state income tax and in the sales tax on certain items; the result will be an immediate $40 million reduction in the state general fund, and will reach $83 million reduction by 1982.

24-2 Appropriation (HB 1476) Appropriates $26,824,834 for vocational education programs; figure represents a 7 percent increase in funding for secondary and junior college vocational education programs; junior colleges will receive approximately $10 million of the total.

24-3 Financial Disclosure by Public Officials (SB 2426) Provides for financial disclosure for public officials and for the establishment of an Ethics Commission; includes junior college presidents and members of the Junior College Commission in the financial disclosure requirements.

24-4 Admission Criteria (SB 2471) Exempts private colleges of nursing from admission criteria established by the Board of Institutions of Higher Education, the university governing body responsible for nursing education regulations

24-5 Appropriation (SB 2929) Appropriates $95,660 to the Division of Junior Colleges for statewide administrative purposes.

24-6 Appropriation (SB 2964) Appropriates $1,792,919 for associate degree nursing programs; provides a 7 percent salary increase for nursing faculty but provides no funds for new faculty positions.

24-7 Appropriation (SB 3024) Appropriates $30,317,000 for junior colleges; also expresses intent to give 7 percent salary increase to junior college employees and directs the Division of Junior Colleges to commence plans for a statewide management information system.

Legislation Proposed but Not Enacted

24-8 Governing Authority (HB 691) Would have created the Gulf Coast Council on Higher Education and given it some authority over the local junior college board.

24-9 Purchasing Procedures (HB 823) Would establish uniform purchasing procedures for all state agencies and political subdivisions.

24-10 Personnel System (SB 528) Would have established a statewide personnel system but would have excluded university and junior college employees from the system.

MISSOURI (25)

Legislation Enacted

25-1 Appropriations Appropriates $28,366,378 for community colleges. State funding for Missiouri community colleges is provided by a formula with differential funding for different institutional categories. The Governor this year reduced the Legislature's appropriation for community colleges from $29,637,278 to $28,380,378 while not altering the funding formula. The result is that if enrollment projections are realized, there will be a funding shortfall because of the Governor's reduction of funds.

Legislation Proposed but Not Enacted

25-2 Tax Change (HB 234) Would have allowed the Kansas City and St. Louis Metropolitan Junior College Districts to levy a sales tax to replace the property tax if approved by a majority of the boards and the district electorates.

25-3 Mission Guidelines (SB 33) Would amend current law by changing references to two-year colleges from "junior" college to "community junior" college; would also specify that community junior colleges are to offer programs in liberal arts and sciences, occupational education, and community services; would make community junior colleges eligible for state federal revenue sharing funds for capital construction to a maximum of 80 percent of costs. Would permit community junior colleges to offer programs to students in contiguous counties that do not have community junior colleges; if such courses or programs might have an adverse affect on another institution of higher education in the county without a community junior college, coordinating board approval of the program would be required.

25-4 Tax Change (SB 289) Would have allowed the Kansas City and St. Louis Metropolitan Junior College Districts to levy a sales tax at the rate of one-eighth of one percent in lieu of the property tax if approved by a majority of the boards and the district electorates.

MONTANA (26)

Legislation Enacted

26-1 Legal Counsel (HB 220) Allows school district and community college trustees to hire legal counsel at their discretion to perform legal services in connection with school or community college board business.

26-2 Postsecondary Finance Study (HJR 58) Requests the Legislative Committee on Priorities to appoint a joint committee to conduct an interim study on the funding of the Montana University System and Community College Districts.

26-3 Community College Governance Revisions (SB 32) Provides for the general revision of the laws relating to the governance of community colleges. Relevant provisions include but are not limited to the following: provides for the nomination and election of community college trustees, the organization of a community college governing board, and the powers of trustees; provides for auditing of community colleges; provides for separate public school and community college boards of trustees with primary authority over community college boards given to the Board of Regents rather than the Superintendent of Public Instruction; provides budgetary procedures for community college boards; provides for community colleges to be supervised and coordinated by the Board of Regents; requires the Board of Regents to develop policies delimiting the area of authority of the Board and the separate Boards of Trustees; provides that no bids are required for community colleges for construction projects under

150

$5,000, that three informal bids are required for projects between $5,000 and $25,000, and the formal bids must be requested for projects over $25,000; and provides that teachers in community colleges are eligible for the Montana teachers' retirement system while other community college employees are eligible for the Montana public employees' retirement system.

26-4 Appropriation Appropriates $1,940,090 for community colleges.

NEBRASKA (27)

Legislation Enacted

27-1 Institutional Registration (LB 141) Requires all out-of-state institutions to be registered with the Nebraska Coordinating Commission for Postsecondary Education before being able to offer courses or degree programs in the state; provides guidelines for the Commission on which to authorize out-of-state postsecondary institutions to offer courses and programs; provides exceptions for certain types of programs.

27-2 Tax Levies (LB 187) That portion relevant to technical community colleges converts levies of the property tax from mills to cents-per-$100 valuation.

27-3 Budget Limit (LB 285) Places a budget increase limit on political subdivisions funded by state and local tax sources; sets the limit at 7 percent of the previous year's budget; provides for exceptions due to increased population and identifies full-time equivalent student enrollments as the population for technical community colleges.

27-4 Local Levy Restriction (LB 363) Provides that beginning July 1, 1981, the local levy for technical community colleges shall not exceed two mills; provides exceptions to the two mill levy with the approval of the board or the electorate; provides that state funds to technical community colleges be distributed in the following manner--15 percent of the total funds shall be distributed in equal amounts to each of the colleges; the remaining funds shall be distributed to the colleges on the basis of the population of each college's reimbursable educational units from the previous year as opposed to the total of all technical colleges' reimbursable educational units.

27-5 Appropriation (LB 585) Appropriates $16,078,654 to the technical community colleges.

27-6 Appropriation (LB 591) Appropriates $418,915 to the technical community colleges.

27-7 State Finance Study (LR 42) Provides for a study of the financial relationship between the state and its political subdivisions. The study is to include an analysis of the levels and relative burdens imposed by property, sales, and income taxes; an investigation of alternate methods of financing local government and distributing state resources; and an analysis of the effects of imposing a limitation on the annual growth rates of local budgets.

27-8 Election Study (LB 55) Provides for a study of the election processes of special use districts including Technical Community Colleges; the reason for the study is the lack of participation by voters and candidates in such district elections.

27-9 Super Board (LR 76) Due to a concern with lack of coordination and duplication of efforts in higher education in the state, provides for a study of a constitutional amendment to provide for the statewide coordination of the higher education system including universities, state colleges, and technical colleges and for a board of regents that would replace all existing higher education governing bodies.

27-10 Capital Funds (LR 111) Provides for a study of future capital construction needs of technical community colleges beyond 1980 since the mechanism to provide community colleges with capital funds will terminate in 1980.

Legislation Proposed but Not Enacted

27-11 Collective Bargaining (LB 108) Would have provided that in the case of collective bargaining by postsecondary education segments such as technical community colleges, state colleges and the University of Nebraska that the bargaining unit be systemwide or coextensive with the governing board; also would provide that faculty and nonfaculty are not to be in the same bargaining unit and that department chairpersons are not to be included in the bargaining unit.

27-12 Coordinating Board (LB 272) Would create the Nebraska Technical Community College Coordinating Council with responsibility for planning, coordinating and budget review of the technical community colleges; would also provide for state funding for these colleges.

27-13 Resident Status (LB 304) Would provide that each institution develop rules and regulations concerning resident status for students.

27-14 Conditions of Employment (LB 442) Provides that technical community colleges may enter into contracts with teaching staff whereby the first two years are a probationary period; would also provide that the contract may be terminated during the two year probationary period without cause.

27-15 National Guard Aid (LB 526) Would provide for the reimbursement by Nebraska National Guard to educational institutions for credit granted to guardsmen.

NEVADA (28)

Legislation Enacted

28-1 Appropriations Appropriates $8,980,220 for community colleges.

NEW HAMPSHIRE (29)

No Relevant Legislation

NEW JERSEY (30)

Legislation Proposed But Not Enacted

30-1 Funding Mechanism (SB 3366) Would make major revisions in the method of providing state support for county colleges by changing the funding mechanism from one based on the number of FTEs to one based on a percentage of the audited and approved educational and general costs, not in excess of 50 percent; also would establish a new method of distributing state aid by providing that 20 percent will be distributed as categorical support for program development, special projects, plant operations, minor capital and the balance will be distributed on a differential basis according to program cost classifications as determined by the Board of Higher Education.

Also would make changes in the governance structure of county colleges. Changes would include the following: would revise the composition of the board of trustees of county colleges to provide for the appointment of two members of the Board of Higher Education and require the establishment of a search committee to nominate candidates; would clarify that the county executive shall act as the appointing authority in lieu of the director of the board of chosen freeholders in counties which have adopted the Optional County Charter Law; would designate that the president of a county college shall be a nonvoting member of the board of trustees; and would specify that no elected public official or employee of a county college shall serve as a voting member of the board of trustees and that no voting member shall be eligible to accept employment as an employee of the college for a period of two years following his resignation from the board.

NEW MEXICO (31)

Legislation Enacted

31-1 Capital Funds (HB 9) Authorizes the sale of severance tax bonds to fund capital construction projects; the authorization includes $8,340,000 for two-year institutions but provides that these funds cannot be used until it is certified by each relevant institution that revenues derived from sources other than the general fund appropriations amounting to at least 25 percent of the full cost of the project will be avilable.

31-2 General Law Revision (HB 107) Appropriates $25,000 to the Legislative Finance Committee to study and develop legislation for the revision of the laws pertaining to the Board of Education Finance and to the two-year colleges in the state.

31-3 Capital Funds (SB 124) Establishes a new method of state funding of capital construction projects by providing that approximately 6 percent of the anticipated project costs be used for planning, designing, and bidding each project; provides for a new method of bidding the projects; and appropriates funds for postsecondary construction projects including $53,000 for planning and $1,100,000 for construction of a new library at a community college.

31-4 Appropriation (SB 141) Appropriates $130,000 to a community college for the establishment of an automated data processing center and for purchasing equipment for the laser technology program.

31-5 Appropriation Appropriates $8,465,700 for community colleges.

Legislation Proposed but Not Enacted

31-6 Tuition Equalization (HB 23) Would provide tuition equalization grants for students attending private colleges.

31-7 Funding (HB 548) Would provide funding for courses taught by a community college in Santa Fe.

31-8 Governance (SB 447) Would have reorganized all two-year colleges under a separate board and provided a new funding mechanism.

NEW YORK (32)

Legislation Enacted

32-1 Capital Funds (AB 7287) Amends the 1979-80 capital construction budget to provide additional aid for planning, renovating, and equipping of the old post office in Buffalo as the site for the new Erie County Community College City Campus.

32-2 Open Meetings (AB 8214) Requires public posting of meetings subject to open meetings law and amends provision relating to specific reasons for conducting Executive Sessions.

32-3 Fire Inspection (SB 4054-A) Mandates annual fire inspection for public and private colleges but excludes those colleges that receive an annual inspection by the Division of Fire Protection.

32-4 Disclosure of Test Contents (SB 5200-A) Provides for the disclosure of test contents and scores of certain standardized tests.

32-5 Agency Shop Fees (SB 5571) Extends the authorization for "agency shop fee deductions" originally enacted in 1977 for an additional two-year period.

32-6 Appropriation (SB 6372) Provides for the governance and funding of the City University of New York; State assumes full financing of CUNY operating and debt service over a four-year period; appropriates the following on an academic year basis: $5.7 million for SUNY Community Colleges, $3.2 million for CUNY Community Colleges, $1.2 million aid to independent dental schools, and $22 million for Bundy aid.

Legislation Proposed but Not Enacted

32-7 Small Business Development Centers (AB 600-4) Would establish small business development centers in conjunction with a program of financial grants to postsecondary educational institutions.

32-8 Coordination (AB 4507) Would authorize public institutions of higher education to join independent institutions in regional college cooperative service boards in connection with the delivery of educational services.

32-9 Tax Credits (SB 1) Would allow a tax deduction for tuition expenses for a full-time student at a college or university within the state.

32-10 Tax Credits (SB 2) Would allow a tax deduction for tuition for part-time and emancipated students at a college or university within the state.

32-11 State Funding (SB 20-A) Would permit state aid for community college operating costs incurred while offering contract courses for purposes of serving and aiding business and industry.

32-12 Student Aid for Part-Timers (SB 260-A) Would extend the Tuition Assistance program to part-time students.

32-13 Payroll Deductions (SB 636) Would authorize payroll deductions for parking fees.

32-14 Indemnity (SB 731-A) Would provide indemnity for financial loss when claims or suits are brought against employees, officers, and volunteers of community colleges under the program of the State University of New York.

32-15 Due Process (SB 1067-A) Would provide the opportunity for all instructional staff and certain other employees to receive specific reasons for the denial of tenure or reappointment.

32-16 Tuition Waiver (SB 1335) Would mandate free tuition for persons over 60 on a space available basis at state-operated campuses.

32-17 Student Board Membership (SB 1592-A) Would add a nonvoting student member representative of community colleges to the state university Board of Trustees.

32-18 Nursing Requirements (SB 2862-A) Would redefine the practice of nursing and among other things require baccalaureate degree for "nurses" and associate degree for "associate nurses."

32-19 Residency Would require residents of local sponsor to attend a community college within the area of local sponsorship.

32-20 Tuition Waiver (SB 3561) Would mandate tuition-free courses for persons over 60 at community colleges on a space available basis.

32-21 Purchasing (SB 4435-B) Would authorize state departments and agencies to contract for printing not to exceed $1,000 without competitive bid and printing supply purchases not to exceed $1,000 without competitive bid.

32-22 Educational Service Contracts (SB 5882) Would permit local legislative bodies and counties which do not sponsor community colleges to contract with independent colleges and universities to provide educational services; these services would be limited to county residents who are not enrolled students on the effective date of the bill and whose income does not exceed $8,000.

32-23 Capital Construction (SB 5885) Would create a temporary state commission on Higher Education Capital Requirements.

32-24 Student Aid (SB 5886) Would require the state Education Department to publish student aid information and distribute the same to postsecondary institutions.

32-25 Student Board Members (SB 5959) Would provide voting rights to student members on community college boards of trustees.

NORTH CAROLINA (33)

Legislation Enacted

33-1 Enabling Law Revision Revises and recodifies the laws related to community colleges, technical institutes, and industrial education centers. Two major changes were made in the community colleges laws: (1) provides that no captive or co-opted courses shall be taught without the prior approval of the State Board and that such courses if taught without prior approveal will not generate FTE; (2) provides that the State Board shall, rather than may, require an election by the voters of an administrative area to authorize an annual tax levy to provide local financial support for an institution as a prerequisite to allowing the

156

institution to be converted from a technical institute to a community college. Several other technical changes were made by this law.

33-2 Accountant Certification (HB 486) Rewrites education and experience requirements of Public Accountants Law as follow: (1) requires bachelor's degree from college or university, or completion of two years at accredited college with accounting concentration and two years experience in public accountancy practice under direct supervision of CPA, (2) permits Board to waive education requirement if applicant passes special exam given by the Board and has endorsement of three CPAs in addition to experience requirement, (3) amends experience requirements to include five years experience teaching accounting in a four-year college or university, five years accounting experience, two years CPA supervised experience, five years experience teaching college transfer accounting courses at a community college or technical institute accredited by one of the regional accrediting associations, or any combination of such experience determined by the Board to be substantially equivalent to the foregoing. A Masters in accounting or tax law (originally only economics or business administration) may substitute for one year's experience.

33-3 Appropriation (HB 606) Appropriates $10,000 to Caldwell Community College and Technical Institute for the purpose of planning the Appalachian Cultural Heritage Complex.

33-4 College Names (HB 1303) Declares that the terms technical college and technical institute are synonymous and permits local boards of trustees, with the concurrence of the respective county commission, to use either term.

33-5 New Institution (HB 1331) Authorizes the establishment and funding of a technical institute in Brunswick County which will be part of the community college system; originally appropriated $330,358 for 1979-80 and $512,670 for 1980-81 but was amended to delete all but $96,000 for the first year of operation.

33-6 Appropriation (HB 1402) Makes a special appropriation of $150,000 for the purchase of three trucks by the State Truck Driver Training School.

33-7 Construction Bids (SB 37) Increases the threshold amount of public construction project cost requiring competitive bidding from $10,000 to $30,000 and repeals the provision allowing contracts to be awarded upon receipt of only two bids.

33-8 Budget Bill (SB 124) General State Budget Bill. Appropriates operating funds for community colleges in the amount of $142,117,715 for 1979-80 and $147,411,415 for 1980-81. Also provides for the following special provisions for community colleges: (1) provides that the total number of community college teaching staff shall be determined by dividing the total curriculum and extension FTE student enrollments by 22; (2) provides that all funds appropriated for equipment and library books be expanded in the given fiscal year or returned to the General Fund; (3) provides that recreational extension courses shall be on a self-supporting basis and that operating funds cannot be used for them; (4) permits the State Board of Education to alter the funding formula for various community college programs as long as such revisions do not result in an increase in the total state expenditure for community colleges; (5) provides that funds for hospital programs of nursing education be collected on the basis of $850 per FTE: (6) requires that a $5 fee be assessed all people who take the General Education Development Test; (7) prohibits the transfer of Adult High School Extension Program funds; (8) requires the State Board of Education to review and evaluate the Department of Community Colleges area coordination program; (9) requires the State Board of Education to approve all programs and extension courses, to establish priorities among the community college programs, and to develop guidelines to establish a comprehensive program classification system for these institutions; (10) directs the State Board to prepare a report that will distinguish and define such terms as courses of instruction and community service, general overall education, curriculum and extension; (11) calls for experimental projects designed to improve such functions as funding, program budgeting, student accounting, etc.; (12) calls for study that will establish regulations necessary to limit expenditures for travel to meetings or conventions of private organizations and for travel which is not solely for public business. Additional appropriations by the legislature as part of the expansion budget for the community colleges for the biennium include but are not limited to the following: (1) provides $6,769,197 for enrollment growth, (2) provides $6,692,658 in matching vocational funds, (3) provides $776,000 to meet the needs for training personnel for new industry and the expansion of existing industrial plants, (4) provides $208,830 for the Saw Mill Program, (5) provides $511,370 for implementation of desegregation commitments, (6) provides $147,703 to plan, develop and implement the delivery of appropriate instruction leading to a baccalaureate degree for vocational and technical instructors at community colleges, (7) provides $60,000 for specialists to assist in the development of Competency based instruction in various occupational educational programs, (8) provides $47,100 for renovations at the North Carolina Vocational Textile School, (9) provides $14,027,295 for a 5 percent salary increase for community college employees in each of the two years of the biennium.

33-9 Capital Funds (SB 125) Provides $3,624,820 in capital development funds for community colleges.

33-10 State Board (SB 266) Creates a State Board of Community Colleges and Technical Institutes separate from the Department of Education; provides for the appointment of members and terms of office; requires the board to meet monthly; provides that the board will elect a president to be responsible for the administration of the system of community colleges and technical institutes and that he shall be provided with an adequate staff; establishes an Advisory Council to advise the State Board; divides the state into six Trustee Association Regions and defines those regions; makes the new board effective January 1, 1981.

33-11 Planning Commission (SB 722) Creates a Community College and Technical Institute Planning Commission to recommend a plan for the orderly transfer of community colleges from the State Board of Education to the new State Board of Community Colleges and Technical Institutes; also requires the commission to make recommendations concerning the impact of a separate board, the methods for funding community colleges and technical institutes, and employees' classification and salary scale.

33-12 Residency (SB 824) Confers residence status for tuition purposes on a minor who has lived for five or more consecutive years in the North Carolina home of an adult relative acting as a de facto parent.

33-13 Name Change (SB 845) Changes the name of Pitt Technical Institute to Pitt Community College and changes its function to that of a comprehensive community college.

33-14 Fund Reimbursement (SB 863) Permits the reimbursement of community colleges with state funds for the cost of operating motor vehicles for certain purposes.

Legislation Proposed but Not Enacted

33-15 Board Membership (HB 827) Would permit only three members of the State Board of Education to be employees of the Board, the Department of Public Instruction, a local board of education, Department of Community Colleges, or a community college or technical institute (but no more than one from each, and no member of a local board of trustees may serve); would also provide that no appointee to the Board may serve more than two consecutive eight-year terms.

33-16 Vocational Education (SB 663) Would direct the Department of Community Colleges and the Department of Public Instruction to develop jointly a plan which leads to cooperative vocational educational programs and which will address such matters as reducing the high school dropout rates, increasing the average adult education level from eighth to ninth grade, and increasing employability of students by providing for more job related skills among other things.

33-17 Fiscal Control (SB 789) A bill to provide comprehensive budget and fiscal control over community colleges. Provisions of the bill include but are not limited to the following: would prescribe for the community colleges a uniform system of budgeting and fiscal control; would require that each institution operate under an annual balanced budget resolution; would provide for a uniform budget format to be used by each institution; would provide for procedures and deadlines for the approval of each year's budget by the appropriate authorities; would allow each institution to enter into contracts and accept funds from the federal government; would require each institution to have a financial officer and prescribe his duties; would provide for an annual audit of each institution by the State Auditor; and would provide for other relevant budgetary procedures and actions.

33-18 Employment Preference (SJR 173) Would urge that North Carolina citizens be given prime consideration when state executive and administrative positions are being filled.

33-19 Administrative Structure (SJR 221) Would create a commission to study the administrative structure of the community colleges to determine among others things whether the state headquarters for these institutions should remain under the State Board of Education, be placed under the Board of Governors of the University of North Carolina or be placed under a new board of trustees separate from both of the above.

NORTH DAKOTA (34)

Legislation Enacted

34-1 Appropriation (HB 1007) Appropriates $4,727,113 for junior colleges.

34-2 State Aid (SB 2452) Increases the state aid formula for junior colleges from $18.59 to $24 per week for each full-time student provided that the local board levies a tax of at least eight mills to support junior college education.

34-3 Tax Levies (SB 2465) Increases the millage which may be levied by a school district for junior college purposes from eight to sixteen mills; provides that the district board may levy the first eight mills on its own authority but that any additional millage above eight and up to sixteen mills must be approved by the electorate; also provides that a board may levy a tax of up to eight mills for off-campus educational facilities on its own authority but that any levy above that but not exceeding 16 mills for off-campus purposes must be approved by the electorate.

OHIO (35)

Legislation Enacted

35-1 Utility Standards (HB 46) Provides for lighting and efficiency standards in existing public buildings but exempts higher education institutions.

35-2 Appropriations (HB 204) Provides appropriations for state programs. Community Colleges were appropriated $45,646,022 for 1979-80 and $49,802,513 for 1980-81; Technical Colleges were appropriated $40,064,790 for 1979-80 and $43,970,973 for 1980-81; University Branch campuses were appropriated $24,443,542 for 1979-80 and $26,553,007 for 1980-81.

35-3 District Expansion (SB 197) Provides for the expansion of existing technical college districts by permitting the boards of education of a city or county school district that has territory in or that is contiguous to a technical college district to request inclusion in the technical college district; requires technical college board and Board of Regents' approval for the expansion; and provides means for selecting new trustees to represent the newly included territory.

Legislation Proposed but Not Enacted

35-4 Physicians' Assistants (HB 16) Would permit physicians' assistants to be employed by health care institutions.

35-5 Liability Immunity (HB 201) Would extend to emergency medical technicians immunity from civil liability in certain cases.

35-6 Real Estate Licensure (HB 347) Would change the educational requirements for real estate licensure. (No other information available.)

35-7 Student Aid (SB 321) Would increase the amount of the Ohio Instructional Grant available to students attending diploma schools of nursing.

OKLAHOMA (36)

Legislation Enacted

36-1 Appropriations Provides appropriation for the state higher education system. No information provided specifically for community and junior colleges.

OREGON (37)

Legislation Enacted

37-1 Wage Schedule (HB 2056) Clarifies the definition of public works for purposes of paying prevailing wages to include all public improvements over $2,000.

37-2 Cost Accounting (HB 2057) Authorizes the Executive Department to develop model cost accounting guidelines for public agencies that perform public improvements.

37-3 Tax Relief (HB 2186) Provides for the refunding to individual income tax payers of 9 percent of state income taxes paid for 1978.

37-4 Board Elections (HB 2311) Reduced from eight to six the number of dates on which any unit of state or local government may hold an election; also allows each community college to schedule its board of education election simultaneously with the first submission of its levy for voter approval instead of requiring that the board of education election be held in April.

37-5 Annuity Contracts (HB 2354) Adds community colleges to the list of educational institutions eligible to have their employees participate in tax-sheltered annunity contracts.

37-6 Administrative Procedures (HB 2497) Substantially amends the Administrative Procedures Act, especially with regard to adoption of rules by state agencies and to contested case hearings. (No other information available.)

37-7 Smoking Ban (HB 3529) Bans smoking at all public meetings.

37-8 Tax Relief (HB 2540) Provides that the state will assume 30 percent of a local taxpayers' 1979-80 and 1980-81 residential property tax liability; provides that renters will receive "relief" equivalent to that given residential property owners; in order for this legislative program to continue beyond 1980-81, it must be approved by the voters in the May 1980 primary elections; provides a formula to set a tax base for property taxes which the state will pay 30 percent of in order to prevent local districts from rapidly increasing their property taxes (e.g., the state will not pay tax relief on any current or newly approved bond levies nor will it pay property tax relief on any serial levy approved after January 1, 1980 to fund capital construction projects); provides that state appropriations for general governmental purposes in any biennium will be limited to a growth factor no greater than the growth in personal income in the state the preceding two years; and provides that corporate income and excise taxes will be returned to corporate taxpayers and other General Fund revenues will be returned on a proportional basis to individual income taxpayers wherever the sources of revenue exceed the amount estimated to be received in the biennium by more than 2 percent.

37-9 Tax Reduction (HB 2589) Provides that individual taxpayers when calculating their 1979 and 1980 state returns may exempt $1,000 (formerly $750) and receive a deduction of up to $7,000 (formerly $5,000) for taxes paid to the Federal government.

37-10 Unemployment Compensation (HB 2802) Declares ineligible for unemployment compensation any person who leaves the state for purposes other than seeking work.

37-11 Executive Sessions (HB 2929) Makes changes in the state's open meetings law. Changes include but are not limited to the following: requires boards to keep minutes or tape record executive sessions; provides that minutes of executive sessions need not be made public but that a court may examine to determine if they should be admitted into evidence at a trial; provides that the standards for evaluating a chief executive officer must be adopted at a public meeting; and provides that the standards and policy directive used in hiring a chief executive must be adopted at a public meeting.

37-12 Investments (HB 3095) Places restrictions on the Local Government Investment Pool for the purpose of assuring the Pool's liquidity.

37-13 Handicapped (HB 3146) Denotes the requirements regarding spaces for the disabled. (No other information available.)

37-14 Retirement (HB 5077) Authorizes public employers who pay their employees' contributions to PERS to pay a uniform 6 percent of salary.

37-15 Coordinating Commission (SB 8) Provides for a legislative sunset study of the Educational Coordinating Commission to be conducted during the 1981-83 interim.

37-16 Public Notice Charges (SB 28) Provides that newspapers may charge community colleges and other school districts the full display advertising rate for all public notices required by statute to be published; previously, districts paid a uniform legal rate which in some cases is higher than what the new rate will be.

37-17 Compulsory Retirement (SB 59) Increases the compulsory retirement age for employees covered by the Public Employee Retirement System from 65 to 70.

37-18 Unemployment Compensation (SB 157) Disqualifies all work experience participants in federal CETA programs from eligibility for unemployment compensation.

37-19 Unemployment Compensation (SB 158) Provides that no one receiving benefits under Social Security, Public Employees Retirement Service, or other governmental retirement plans is eligible for unemployment compensation.

37-20 Budgets (SB 162) Makes housekeeping changes in the local budget law. (No other information available.)

37-21 Budget Procedures (SB 163) Clarifies the Local Budget Law with respect to program budgets and requires greater detail in the object classification of expenditures in community college districts.

37-22 Personal Service Contracts (SB 232) Authorizes the Public Contract Review Board to designate service contracts as personal service contracts, thus not having to go to bid.

37-23 Workman's Compensation (SB 278) Authorizes community colleges and other political subdivisions to become direct responsibility of employers for workers' compensation purposes.

37-24 Property Taxes (SB 317) Provides for changes in the administration of property taxes by moving from a quarterly system of payment to payments three times a year; change will require adjustments in budgeting procedures.

37-25 State Superintendent Selection (SB 450) Provides that if the voters approve an amendment to have the Superintendent of Public Instruction become an appointed position, then the first appointee will take office on January 1, 1983; method of selection would involve the submission of nominees by the State Board of Education to the Governor who would then make the selection.

37-26 Tax Procedures (SB 527) Changes the procedure for estimating the amount of taxes to be levied but not collected; the purpose is to ensure that districts do not overestimate discounts and delinquency amounts in computing their total tax levy.

37-27 Employment Relations Board (SB 529) Authorizes the Employment Relations Board to designate the amount and award attorney fees, if any, to the prevailing party following a hearing on an alleged unfair labor practice.

37-28 Building Code (SB 646) Amends the Structural Code and Electrical Safety Law so it pertains to school buildings which serve fifty or more persons. (No other information available.)

37-29 Election Procedures (SB 668) Permits the county clerk or county official in charge of election to combine precincts at any election other than the primary or general election.

37-30 Ballot Titles (SB 720) Requires that the ballot title in any election shall include a question which plainly states the purpose of the measure, and is phrased so that an affirmative response to the question corresponds to an affirmative vote on the measure.

37-31 Employee Tests (SB 756) Declares that it is unlawful employment practice for an employer to require that an employee or a prospective employee directly or indirectly undergo polygraphic or psychological stress tests.

37-32 Employee Rights (SB 809) Requires that each health insurance policy delivered in Oregon allow a covered employee on strike to retain benefits by paying premiums during the strike; the same applies if an employer locks out his or her employees.

37-33 Appropriations (SB 5518) Appropriates $98,504,167 for community colleges for the biennium; formula for distribution is $1,163 for each of the first 1,100 FTEs for '79-80 and $1,245 for '80-81, each FTE above 1,100 will be funded at $883 for '79-'80 and $945 for '80-81; provides that funds available from institutions that do not meet projected enrollments may be redistributed to those institutions that exceed projected enrollments; provides that excess funds from '79-'80 may be used for '80-'81, but that any excess funds from 80-81 will revert to the state General Fund; also appropriates $9,519,650 for community college construction—distribution depends on the local district providing 35 percent of the construction funds.

37-34 State Superintendent Selection (SJR 12) Provides that the electorate will decide in November of 1980 if they want to amend the Oregon Constitution to have the position of Superintendent of Public Instruction become an appointed rather than an elected one as is currently the case.

37-35 Appropriations Appropriates $47,076,107 for community college operating expenses.

PENNSYLVANIA (38)

Legislation Enacted

38-1 Student Welfare Assistance (SB 502) Alters public welfare laws by providing that no general assistance shall be paid to any full-time college student who has not participated in a federally subsidized program for dependent children within the previous five years.

38-2 Appropriations Appropriates $49,206,000 for community colleges.

RHODE ISLAND (39)

Legislation Enacted

39-1 Immunization (H 5624) Requires students entering any public or private school including colleges and universities to furnish evidence that they have been immunized against certain diseases that the director of health and commissioner of education designate.

39-2 Adult Education Study (H 5749) Creates the Rhode Island Adult Education Commission and defines adult education broadly to include adult basic education and all postsecondary education, credit and noncredit, part-time and full-time, offered by educational as well as noneducational institutions; requires the Commission to do a comprehensive study of adult education in the state.

39-3 Parking Spaces (H 5961) Requests the State Board of Regents to eliminate all reserved parking places at the state colleges, with the exception of those saved for the handicapped, police, and maintenance vehicles.

39-4 Retirement (S 616) Changes the dates of scheduled increases in teacher contributions to the state retirement system from 1980 and 1981 to 1982 and 1985.

39-5 Private Gifts (S 713) Provides for the incorporation of the Rhode Island Junior College Foundation which will be responsible for encouraging, receiving, administering, and controlling private gifts to the college; also provides for a nineteen-member executive board for the corporation, nine of whom are to be former students of the college.

39-6 Retirement (S 985) Provides that all teachers with ten years of service within the state may have up to an additional five years of service credited toward retirement for out of state service if they retire on ordinary disability.

SOUTH CAROLINA (40)

Legislation Enacted

40-1 Board Membership (H 2344) Changes the name of the governing board of the Chesterfield-Marlboro Area Technical Education College from Committee to Commission, and increases membership to eleven, nine of whom will be appointed by the Governor.

40-2 Board Authority (H2642) Relates to the State Fire Commission. Among other things, it places sole responsibility for the South Carolina Fire Academy with the State Board for Technical and Comprehensive Education. The Academy is responsible for training and upgrading the skills of the state police and private fire fighters.

40-3 Capital Funds (H 2976) Appropriates $11,316,000 in capital funds to the State Board of Technical and Comprehensive Education.

40-4 Tax Base (H 3037) Designates the exact amount of funds that Charleston County must contribute to the support of a multi-county Technical Center of which it is part.

40-5 Residency (S 388) Provides that a student who has lived for three years prior to his enrollment in a postsecondary institution in the State is eligible to pay in-state tuition fees even if his parents move to another state.

40-6 Tax Levy (S 591) Provides that a tax shall be levied in Williamsburg County to be used for the Williamsburg County Technical Education College. Previously, the County Council provided operating funds for the college.

40-7 Appropriation Appropriates $46,283,355 for community colleges.

SOUTH DAKOTA (41)

No Relevant Legislation

TENNESSEE (42)

Legislation Enacted

42-1 Administrative Procedures (HB 4) Modifies the procedure by which the legislature approves or disapproves agency rules and regulations.

42-2 Mandatory Retirement (HB 91) Provides that there shall be no mandatory retirement age for state employees; however, it does provide exceptions including one that permits higher education institutions to retire employees at age 65.

42-3 Sales Tax Exemption (HB 247) Exempts from the sales tax tangible personal property given or donated to certain religious, educational, and charitable institutions.

42-4 Longevity Pay (HB 249) Establishes a longevity pay plan for all state employees including higher education personnel but specifically excludes, among others, higher education faculty.

42-5 Retirement Privileges (HB 322) Changes certain provisions relative to eligiblity for and participation in the Tennessee Consolidated Retirement System. Changes include but are not limited to the following. Permits individuals, retired from public higher education institutions to accept employment with those institutions without loss of retired benefits.

42-6 Highway Signs (HB 738) Requires the erection of signs on interstate highways indicating the location of all state community colleges regardless of their distance from the highway.

42-7 Growth Restrictions (HB 819) Prohibits the University of Tennessee Board of Trustees and the State Board of Regents from acquiring private institutions of higher education.

42-8 Budget Bill (HB 1085) General State appropriations bill. Those provisions applicable to community colleges include but are not limited to the following: appropriates $29,713,000 to community colleges for operating expenses; appropriates $1,233,000 in capital outlay funds to the State Board of Regents; provides that community college personnel receive at least a 5 percent salary increase; appropriates funds for salary improvement of higher education's faculty including faculty at nine community colleges; directs the state building commission to begin plans for branch campuses of two community colleges; appropriates funds to a community college for the development of an off-campus center; appropriates $6,200,000 for student financial assistance; appropriates funds for the establishment of a nursing program at a community college; appropriates $4,009,000 to the State Board of Regents for major maintenance and repairs of state facilities.

42-9 Capital Funds (HB 1087) Authorizes the sale of $19,800,000 worth of bonds to provide funds for the construction and repair of educational facilities.

42-10 Faculty Rights (HB 1375) Provides that faculty members or instructors at institutions of higher education are not disqualified from serving on county election commissions, or as election officials solely because of their positions.

42-11 Calendar Study (HJR 254) Directs the Tennessee Higher Education Commission to conduct a feasibility study of converting all state supported institutions of higher learning to a semester basis. Currently, all community colleges are on quarter term calendars.

42-12 Student Rights (SB 16) Declares that courses taught at all state higher educational institutions are now offered to all qualified students of the state and abolishes certain provisions which were predicated upon an educational system in which certain courses were not available to minorities.

42-13 Employee Benefits (SB 215) Provides that the estate of any employee who dies as a result of injuries sustained in an accident shall be compensated for the employee's unused and accrued sick leave in the same manner as the estate of deceased employees are compensated for terminal leave.

42-14 Energy Conservation (SB 304) Directs state agencies including public higher educaton institutions to appoint individuals to be responsible for each state building under their control and directs these individuals to cooperate with the Tennessee Energy Authority in any effort it makes to improve energy conservation.

42-15 Energy Conservation (SB 305) Provides that provisions of the state energy conservation code shall apply and be enforced with regard to new state construction.

42-16 Road Signs (SB 382) Requires the Department of Transportation to provide road signs to indicate the location of Volunteer State Community College.

42-17 Access to Personnel Files (SB 514) Permits state employees to have access to their personnel files

42-18 Audits (SB 695) Requires administrative heads of state agencies or institutions audited by the comptroller to report action taken to implement recommendations made by the comptroller.

42-19 Handicapped Accommodations (SB 755) Requires that all public entertainment facilities be so equipped that people in wheelchairs can observe the entertainment as well as people regularly seated in the facility.

42-20 Financial Debts (SB 769) Requires prior approval of the state school bond authority before the State Board of Regents as well as certain other state bodies can borrow money or incur debt.

42-21 Board Authority (SB 1048) Repeals certain code sections that are inconsistent with the statutes that created and empower the State Board of Regents which has authority over the community colleges.

42-22 Benefits (SB 1202) Authorizes departments and agencies of government to pay 60 percent of the cost of each participating state employee's premium on the group insurance plan.

TEXAS (43)

Legislation Enacted

43-1 Retirement Board (HB 546) Changes the composition of the Teachers Retirement Service Board of Trustees by designating that one trustee position is to be for a representative of higher education beginning in 1981.

43-2 Appropriation (HB 558) General appropriation bill. Those parts relevant to community colleges include but are not limited to the following: Provides $121,430,838 in state funds for community college academic education and $113,235,784 for vocational education; provides that if projected enrollments do not materialize that any excess funds provided by the formula funding rate shall revert to the state treasury; provides for audits of enrollments to ensure appropriate fund disbursement; and provides dates for the distribution of state funds to community colleges. It also is to be noted that the governor vetoed start up funds for four community college programs or campuses as well as contingency funds for excess enrollments.

43-3 Peace Officers (HB 719) Pertains to the certification requirements for peace officers who may be employed on probation until training is satisfactorily completed. (No other information available.)

43-4 Retirement (HB 848) Relates to certain employees in higher education who have elected to participate in the Optional Retirement Program. (No other information available.)

43-5 Audit Reports (HB 1030) Removes the requirement that colleges must send a copy of audit reports to each member of the House Appropriations Committee.

43-6 Tax Relief Measure (HB 1060) A comprehensive measure designed to implement the Tax Relief Amendment to the Texas Constitution passed by the voters in 1978. Changes in the use and application of ad valorem taxes include but are not limited to the following: changes the method of appraising agricultural and timber land; exempts intangible property from ad valorem taxes; exempts household goods and personal effects from ad valorem taxes; provides exemption of automobiles from ad valorem taxation; defines a resident homestead and allows a $5,000 exemption from ad valorem taxation on the household as well as greater exemptions for the disabled and those over 65 years old; provides for state replacement of bonds to school districts as a result of this tax relief measure but does not include junior college districts; and limits the rate of growth of appropriations from state tax revenues to the size of the growth of the state's economy.

43-7 Liability Protection (HB 1134) Relates to liability claims against public officials and employees. Allows political subdivisions to pay damages, court costs and attorney's fees for its employees.

43-8 Property Purchasing Authority (HB 1176) Authorizes political subdivisions to enter into contracts for the use, acquisition, and purchase of property. (No other information available.)

43-9 Tuition (HB 1237) Changes the classification for dependents for tuition purposes. (No other information available.)

43-10 Student Fees (HB 1389) Defines student services fees and allows for a Student Fees Committee.

43-11 Medication Containers (HB 1423) Makes a slight change in the law regarding the container for medication used in school districts.

43-12 Retirement Provisions (HB 2083) Makes several substantial changes in retirement provisions. Changes include but are not limited to the following: amends the definition of "annual compensation" in the Teacher Retirement Law to remove the $25,000 ceiling on the amount of compensation subject to TRS deduction and credit; removes the ceiling from the best-five-years-average compensation factor in the TRS benefit formula; and increases survivor benefits.

43-13 Annuity Increase (HB 2084) Provides certain retired members with annuity increases.

43-14 Investment of Local Funds (HB 2122) Requires that all state agencies including institutions of higher education adopt rules governing the investment of local funds; provides for the appointment of an investment officer and annual reports by such individual; provides that the state auditor shall supply the governing board as well as the chief executives of any department a copy of any report in the department.

43-15 Single Appraisal Requirement (HJR 98) A joint resolution proposing a constitutional amendment to require a single appraisal and a single board of equalization within each county for ad valorem tax purposes; thus could require the county to join other tax units within a county in a single appraisal and equalization office.

43-16 Life Insurance (SB 261) Removes the $25,000 limit on group life insurance for any one official employee or retiree.

43-17 Board of Nurse Examiners (SB 273) Defines the practice of professional nursing and the authority and the powers of the Board of Nurse Examiners. (No other information available).

43-18 Cosmetology Commission (SB 384) Reconstitutes and reestablishes the Texas Cosmetology Commission. Changes include only a minor alteration in the number of hours of training required.

43-19 Tuition (SB 530) Provides that foreign students be charged the same tuition as other nonresident students.

43-20 Tax Reform (SB 621) A comprehensive tax reform measure that essentially follows the "Truth in Taxation" Measure passed in 1978; one section that does affect community colleges provides that junior college districts are not eligible to assist in the appointment of the board of directors of the appraisal districts.

43-21 Student Fees (SB 638) Provides that a student may not be charged a student services fee at two institutions within a single district.

43-22 Record Transfer Cooperation (SB 986) Requires cooperation in the transfer of student immunization records between and among institutions of higher education.

43-23 Investments (SB 1195) Relates to certain investments of independent school districts and to depositories of independent school districts. (No other information available).

43-24 Adult Education Study (SR 631) Authorizes the Senate Education Committee to make a study of adult education.

UTAH (44)

Legislation Enacted

44-1 Appropriation Appropriates $27,903,500 for community college and technical college operating expenses.

VERMONT (45)

Legislation Enacted

45-1 Appropriations Appropriates funds for the Vermont State Colleges including the Vermont Community College.

VIRGINIA (46)

Legislation Enacted

46-1 Freedom of Information (HB 1467) Amends the Freedom of Information Act by redefining "meeting" of any state body or political subdivision of the state to include any informal assemblage of as many as three members of a body or a quorum which is less than three of the constituent membership.

46-2 State Council (HB 1574) Makes technical changes in the duties of the State Council of Higher Education.

46-3 Public Official Disclosure (SB 676) Expands the definition of public official to include members of boards, commissions, councils, or collegial bodies created by the General Assembly in the executive branch as it pertains to annual disclosure of financial interests by said public official.

46-4 Student Aid (SB 795) Amends the Code of Virginia by altering the means of calculating the amount of tuition that may be remitted through the unfunded scholarship program and by repealing the prohibition on tuition remission scholarships for out-of-state students.

46-5 Joint Meetings (SJR 112) Proposes that the Council of Visitors, a group formed by the various boards of visitors of the state institutions, meet regularly with the State Council of Higher Education.

46-6 Freedom of Information Amends the Freedom of Information Act by specifically including boards of visitors of state institutions of higher education, and by permitting executive sessions when disciplinary matters concerning students are to be discussed as well as when boards of visitors are discussing matters relating to gifts, bequests, and fund-raising activities.

46-7 Appropriation Appropriates $89,645,730 for community colleges.

Legislation Introduced But Not Enacted

46-8 Funding Formula (HB 1525) Would have amended the Senior Citizens Higher Education Act by allowing senior citizens eligible for tuition-free admission to be included in the computation of full-time equivalent load.

WASHINGTON (47)

Legislation Enacted

47-1 Sale of Term Papers (HB 126) Prohibits the commercial preparation and sale of papers or assignments which will be submitted to a postsecondary institution for the purpose of meeting course or program requirements.

47-2 Residency (SHB 201) Provides that applications for change from nonresident to resident status or the reverse may be accepted up to the 30th day of the semester or quarter for which application is made.

47-3 Reciprocal Tuition Agreement (HB 226) Provides for the waiver of nonresident tuition and fees for Oregon residents attending certain Washington colleges if a similar arrangement is made for residents of certain Washington counties attending Portland State University; provides for the transfer of funds between the two states when the net difference in tuition and fees lost exceeds $25,000 per year; provides that this program will not be implemented until the appropriate arrangements with Oregon officials are made by the Council for Postsecondary Education; and requires the Council to review the costs and benefits of this reciprocity program and report to the 1983 legislature.

47-4 Closed Meetings (SHB 248) Clarifies existing statutory language by permitting public agencies and local governing bodies to hold closed executive sessions to discuss sales and leases of real estate, if publicity could result in a decreased price.

47-5 National Guard Aid (SHB 295) Establishes an educational assistance grant program for eligible enlisted members of the Washington National Guard who are enrolled in Washington postsecondary institutions; limits the award to $1,000 per year; and appropriates $206,000 for the 1979-81 biennium.

47-6 Certification Program (SHB 298) Provides for the implementation of public education and notification programs related to a voluntary vehicle emission inspection program; directs the Department of Ecology in cooperation with the Superintendent of Public Instruction and the State Board of Community Colleges to develop certificate programs for individuals who inspect and certify the emissions level of motor vehicles as well as those who repair and maintain vehicles.

47-7 Tuition Waiver (SHB 319) Permits institutions of higher education to waive tuition and fees for all full-time faculty and nonfaculty employees provided that there is space available in the classes desired; requires the exclusion of such enrollment from budgetary statistics; and requires a $5 registration fee.

47-8 Trustee Term of Office (HB 358) Clarifies the length of term of trustees so that a trustee will serve in the future until a successor is appointed and signs the oath of office even though the former trustee's term may have technically expired.

47-9 Tuition Waiver (HB 398) Requires community colleges to waive all tuition and fees for all students 19 years and older who enroll in high school completion and GED programs regardless of the student's financial situation.

47-10 Nursing Continuing Education (HB 450) Requires the Board of Nursing to establish requirements of continuing nursing education as a condition for license renewal; such requirements will be terminated in 1986 unless extended.

47-11 Retirement Benefits (SHB 500) Provides postretirement benefit increases to members of various retirement programs; provides that the minimum retirement allowance in the systems affected would be $10 per month for each year of service; provides that the retirement allowance of all retirees who have been retired five years or more will be increased by 6 percent of the total retirement allowances of that group spread on the basis of years of service.

47-12 Community Schools (HB 645) Removes the prohibition on use of state funds for community education programs; also requires the Superintendent of Public Instruction and the Executive Director of the State Board for Community Colleges in conjunction with local school and community college districts to develop a set of recommendations on public policy related to community schools.

47-13 Retirement Benefits (SHB 768) Makes technical changes in TIAA/CREF beneficiaries and benefits. Changes include but are not limited to the following: provides that the designated beneficiary must have an insurable interest in the retiree's life and be

174

nominated by written designation which is filed with the higher education institution; provides that only years of service at an institution of higher education for which contributions have been made will be used in the calculation of benefits and that any benefits received from such service from any other public retirement system will reduce the supplementation payments.

47-14 Pension Benefits (SHB 791) Makes technical changes in the TRS and PERS Pension Benefits programs.

47-15 Professional Leaves (HB 983) Raises the community college districts' limitation on aggregate cost of professional leaves (remuneration to faculty member on leave plus replacement cost) to 150 per cent of the amount of salaries which would have otherwise been paid to the person on leave; continues to limit four-year institutions to the amount of salaries that would have been paid.

47-16 Retirement Provisions (SHB 1045) Amends certain retirement systems to allow the state to exempt CETA employees from coverage in those systems unless the employee has five years of service credit or has previously retired from the system; the employee is allowed to buy back retirement credit if he is able to acquire an unsubsidized employment in a position covered by the retirement system within 90 days of terminating his CETA employment; in doing this the employee pays the amount of employee retirement contributions he would have owed as a non-CETA employee. This change was required because federal funds no longer will be available for paying retirement cost meaning the subsidized employer would have to assume the costs.

47-17 Service Contracts (SHB 1057) Allows institutions of higher education and state agencies to purchase services on contract from individuals or private business firms only if such services were regularly purchased by contract in the past; provides that no contract may result in the termination of classified employees or classifed positions existing at the time of the contract; this provision was required because a recent State Supreme Court ruling held that higher educational institutions could not independently contract for a new service where that service had been performed by classified employees in the past.

47-18 Nursing Assistants Training (HB 2339) Requires that all nursing assistants satisfactorily complete within six months of employment a training program which has been approved by the State Board of Nursing; the program is to include at least twenty-five classroom hours and 50 on-the-job training hours; this may have a very slight enrollment impact on community colleges.

47-19 Sick Leave (SSB 2030) Creates a separate sick leave account to be used for payments to employees on account of sickness; the account is established for the purpose of excluding these payments from regular salary for which the state is required to make an OASI contribution; also requires various personnel boards to establish the maximum number of days an employee under its jurisdiction may be absent on account of sickness without a medical certificate.

47-20 Financial Procedures (SB 2033) Transfers the authority to establish state equipment inventory records and agency accountability from the Department of General Administration to the Office of Financial Management.

47-21 Residency (SSB 2042) Provides that foreign students attending Washington colleges whose parents are temporarily assigned to consular missions in the state may pay resident tuition.

47-22 Student Aid (SSB 2140) Provides that financial assistance for students participating in curriculum-related performing arts activities may be drawn from contributions or revenues related to performing arts events and activities.

47-23 Construction Procedures (SB 2194) Moves community colleges to the same public works statute that applies to four-year colleges instead of placing them under the statute applying to K-12 districts; however, establishes the threshold for public bids at $5,000 for community colleges instead of the $17,000 for four-year institutions.

47-24 Sick Leave Option (SSB 2192) Establishes an attendance incentive program for all state employees entitled to accumulate sick leave, except for teaching and research faculty at institutions of higher education; the program allows employees the option of receiving one day's pay for every four full days of sick leave accrued in the previous year in excess of sixty days; also provides that at the time of death or retirement from state service, the employee or employee's beneficiary will receive one day's pay for every four days of accrued sick leave and such pay is not to be included in computation of retirement benefits.

47-25 Capital Funds (SB 2250) Provides for the issuance of $24 million in general obligation bonds for community colleges and provides that the 1975 community college capital construction account and the 1975 community college capital construction bond retirement fund are to be used rather than creating new funds; authorizes community colleges to offer educational programs on a contractual basis with Department of Social and Health Services at correctional facilities and also authorizes community colleges to charge a special supplemental fee at correctional facilities so that the total cost is covered when state funding is included.

47-26 Personal Service Contracts (SSB 2301) Makes technical changes by providing a specific definition of personal service contracts.

47-27 Emergency Medical Training (SSB 2308) Pertains to emergency medical services. That portion potentially affecting community colleges requires the Secretary of the Department of Social and

Health Services to set standards for all training programs related to emergency medical services and the operation of emergency medical care services; could potentially affect course content of relevant community college courses.

47-28 Fund Advance (SB 2398) A measure to reduce unnecessary procedures, provides that state employees may be paid in advance for up to ninety rather than thirty days of anticipated travel expenses; also eliminates the requirement that persons who receive duplicate warrants, bonds, or other instruments, due to loss or destruction of the original, post a bond in twice the amount of the original instrument.

47-29 Displaced Homemaker Program (SB 2406) Provides for the establishment by the Council for Postsecondary Education of a two-year pilot project that will establish service centers and programs to provide training, counseling, and services to displaced homemakers.

46-30 Retirement Age Increase (SSB 2451) Increases the retirement age to 70 years for state employees and provides that compulsory retirement at age 70 may be waived by the employer.

47-31 Tuition Waiver (SB 2506) Authorizes a waiver of tuition and fees up to a maximum dollar amount not to exceed 4 percent of the total collection from the various fees charged to students on four-year campuses or within the community college system as a whole; eligible students may include disadvantaged, those students seeking a high school diploma, certain foreign students, students demonstrating exceptional educational ability, and displaced home makers; waivers for exceptional students and displaced homemakers are permissive rather than mandatory.

47-32 Lobbying (SSB 2685) Relates to the lobbying activities of state and local agencies. Provides a statement of those activities which are exempt from the reporting requirements of the public agency lobbying law. Exemptions include such things as telephone conversations, lobbying in person by elected officials, communications between state agencies and the preparation of policy positions among other things. Permits public agenices to indicate its position on a ballot issue under specified conditions. The above regulations will affect those people who contact legislatures on behalf of the community colleges.

47-33 Veterans Aid (SB 2923) Exempts veterans of the Vietnam conflict from the payment of any increase in tuition and fees above the total amount of charges paid by Vietnam veterans on October 1, 1977. Affects veterans enrolled before May 7, 1983.

47-34 Community College Study (SR 90) Directs the State Board for Community College Education to prepare a study that examines the geographic, administrative, and decision-making structures of the present community college system; special emphasis in the study should be placed upon the appropriateness of the community college districting system, the potential benefits and consequences of alternate approaches to community college districting, and the development of methods to enhance planning and coordination efforts among the community colleges.

47-35 Tuition Waiver Study (SR 95) Directs the Council for Postsecondary Education to do a study of the various tuition and fee waiver programs and the provisions under which nonresident students can achieve resident status to determine such things as the number of students involved, the cost to the state, and whether such programs should be continued.

47-36 Board Duplication Study (SR 96) Provides for a study by a standing legislative committee on the degree of duplication in the functions and duties of the various agencies and boards that have authority over postsecondary institutions.

47-37 Engineering Technology Programs (SR 97) Directs the Council for Postsecondary Education to coordinate the responses to its recommendations on programs in the engineering technologies with the regional universities and the State Board for Community College Education and seek the establishment of one or more pilot engineering technology programs in one or more heavily industrialized and populated areas, ensuring that unnecessarily duplicative programs are not developed, and that the responses are in accord with its off-campus guidelines.

47-38 Budget Bill General Budget Bill. Those sections affecting community colleges include but are not limited to the following: permits the state board to transfer up to 5 percent of the funds for programs between programs; appropriates $2,428,000 for the administration and general expense program; appropriates $197,098,000 for instructional services; appropriates $15,962,000 for library services; appropriates $31,284,000 for student services; appropriates $45,792,000 for institutional support; appropriates $38,959,000 for capital projects.

Legislation Proposed But Not Enacted

47-39 Tuition Increase (HB 102) Would have increased tuition and fees at all postsecondary institutions; the changes affecting community colleges would have increased resident tuition and fees from $255 to $294 and nonresident fees from $1,037 to $1,302.

47-40 Student Fee Use (SHB 194) Would have provided that it is the intent of the legislature that students have the responsibility for initial program development and budgetary recommendation regarding programs funded by services and activities fees; would have directed governing boards to adopt guidelines governing the establishment and funding of programs supported by services and activities fees; and would have provided for majority student voting membership on the services and activities fees committee.

47-41 Retirement Regulations (HB 243) Would provide that members of the Teachers Retirement System who wish to establish credit for services previously rendered have until June 30, 1981 to provide proof of previous service and to make the necessary payments to establish credit.

47-42 District Expansion (SHB 324) Would have established a new community college district by dividing a present district into two districts.

47-43 District Expansion (HB 335) Would have created a new community college district by dividing an existing district into two.

47-44 Open Meetings (HB 357) Would have made student governing bodies subject to the provisions of the open public meetings act.

47-45 Fire Protection (HB 431) Would have provided that community college districts would receive fire protection services from the fire protection district in which they are located without the necessity of executing a contract for such services; would have also provided for the development of criteria to be used by the insurance commissioner in establishing uniform rates governing payments to fire districts by the community college districts for fire protection.

47-46 Public Broadcasting Commission (HB 542) Would abolish the state educational television commission and replace it with the State Public Broadcasting Commission; would direct the new Commission to promote the growth, expansion, development, and programming diversity of public broadcasting; would give the commission power to disburse funds for postsecondary instructional broadcasting production or acquisition after consulting with advisory committees of the various postsecondary sectors.

47-47 Community College Police (HB 628) Would have allowed community college boards of trustees to establish their own police forces, disability and medical benefits to the relevant police force, and select an appropriate retirement plan for police officers.

47-48 Tenure (HB 654) Would have increased the probationary period before community college faculty tenure could be awarded from three to five years.

47-49 Collective Bargaining (HB 853) Makes various changes related to state employees; changes include but are not limited to the following: would provide that the terms and conditions specified in any collective bargaining agreement override any conflicting provisions of the Higher Education Personnel Board; would repeal the Higher Education Personnel Board's authority to establish provisions related to collective bargaining; would permit the Public Employment Relations Commission to settle public employer-employee collective bargaining disputes including those in higher education through binding arbitration by the Commission.

47-50 Personnel Appeals (SSB 2023) Would have created a personnel appeals board which would have jurisdiction over appeals by employees under the Higher Education Personnel Board and the State Personnel Board; currently appeals jurisdiction rests with the latter two boards.

47-51 Rental Authority (SSB 2025) Would amend statutes relating to the renting or leasing of real estate by providing that only the director of the Department of General Administration may rent or lease real estate for state agencies, although the director may delegate such authority to state agencies; also removes colleges' and universities' exemption from this regulation.

47-52 Merit (SB 2035) Would have provided that merit principles govern the administration of the state civil service law and the state higher education personnel law.

47-53 Property Disposal (SB 2074) Would have provided that any community college, having property subject to outstanding bonded indebtedness by the taxpayers of a common school district and which has been declared surplus property by the community college, shall allow the school district to purchase the surplus property for $1 prior to disposing of the property in another fashion.

47-54 Fund Use (SB 2154) Would have prohibited the use of funds generated by programs for military personnel for nonprogram related costs unless such use is specifically approved by the state board for community college education.

47-55 Personnel Board Abolishment (SB 2188) Would have abolished the Higher Education Personnel Board and the Higher Education Personnel System and placed their responsibilities under the state system of personnel administration.

47-56 Personnel Board Authority (SB 2196) Would have directed the relevant laws, rules, and orders; would allow the boards to require reports and to conduct investigation to ensure compliance with relevant laws.

47-57 Board of Social Work (SB 2600) Would have established a board of social work examiners with the power to set qualifications for licensing social workers, to issue licenses, and to hear complaints against social workers; would also have set qualifications for social workers and social service technicians.

47-58 Personnel Regulations (SB 2601) Would have made various technical changes to the regulations relating to higher education personnel.

WEST VIRGINIA (48)

No relevant legislation enacted or reported out of committee.

WISCONSIN (49)

Legislation Enacted

49-1 Appropriation Appropriates $53,717,700 for vocational, technical, and adult education.

Legislation Proposed But Not Enacted

49-2 Smoking Regulations (AB 80) Would regulate smoking in public places.

49-3 Retirement Systems (AB 109) Would provide for the merger of the Wisconsin retirement system, the state teachers retirement system, the Milwaukee Teachers Retirement Fund, and certain other public retirement and disability programs.

49-4 Free Tuition (AB 134) Would provide tuition free education for undergraduate resident students in the University of Wisconsin system and tuition grants to undergraduate resident students attending out of state schools.

49-5 Financial Procedures (AB 220) Would affect the administration of state aid payments to VTAE district boards. (No other information available.)

49-6 Board Member Selection (AB 235) Would affect the appointment of VTAE district board members.

49-7 Advisory Bodies (AB 292) Would affect the authorization and regulation of advisory bodies. (No other information available.)

49-8 Student Rights (AB 300) Would affect students' rights. (No other information available.)

49-9 Minority Scholarship (AB 301) Would provide for scholarship aids for minority group members, and grants and loans for minority businesses and economic development projects.

49-10 Personnel Information (AB 321) Would affect governmental practices regarding personal information.

49-11 Occupational Therapists (AB 345) Would affect the regulation of occupational therapists by the medical examining board and create an occupational therapists council.

49-12 Retirement (AB 412) Would affect the granting of credit to the Wisconsin Retirement Fund for military services for public employees with less than 20 years but more than 15 years creditable service.

49-13 Lobbying (AB 429) Would provide a penalty for lobbying by state agencies.

49-14 Students and Unions (AB 430) Would affect the authorization for full-time students to choose not to accept membership in or contribute financial support to labor organizations.

49-15 Ambulance Attendants (AB 444) Would pertain to provisional licenses for ambulance attendants.

49-16 Veterans Assistance (AB 526) Would provide for reimbursement to veterans upon completion of correspondence courses and part-time classroom study.

49-17 Unemployment Compensation (AB 708) Would affect eligibility for unemployment compensation upon voluntary termination of employment.

49-18 Energy (AB 777) Would provide for the establishment of alternative energy incentives.

49-19 Retirement (AB 827) Would permit transfers from variable to fixed annuity division in the Wisconsin retirement fund, state teachers retirement system and Milwaukee Teachers Retirement Fund; also would close the variable annuity divisions to new entries.

49-20 Barber Licenses (AB 830) Would eliminate the journeyman barber license.

49-21 Semester Starting Dates (AB 868) Would affect the fall semester starting dates at the University of Wisconsin system and vocational, technical, and adult education schools.

49-22 Bonds (AB 938) Would affect the issuance of bonds by school districts.

49-23 Tuition Payments (AB 945) Would affect the payment of tuition for Wisconsin residents at vocational, technical, and adult education district schools.

49-24 Student Fees (AB 980) Would affect the authority of a vocational, technical, and adult education district board to establish student activity and incidental fees.

49-25 Nonresident Fees (AB 1000) Would affect remissions of nonresident fees to certain nonresident students at vocational, technical, and adult education schools.

49-26 Coordination (AJR 64) Would direct the Legislative Council to study the coordination between the University of Wisconsin system and the VTAE system.

WYOMING (50)

No Legislative Report Received

183

APPENDIX B

INDEX TO LEGISLATION

The first number of each entry is that of the state; the second is that of the legislative item within the state. For example, 3-8 indicates the eighth item listed under Arizona. State identification numbers can be found in Table 1. Both legislation enacted and legislation proposed are included.

FINANCE

Appropriations

1-4, 1-5, 1-6, 1-7, 1-9, 2-1, 3-9, 3-11, 3-26, 4-7, 4-12, 5-1, 5-30, 5-40, 6-17, 7-1, 8-1, 9-22, 9-31, 11-1, 12-2, 13-35, 13-36, 13-43, 13-54, 14-7, 15-4, 15-6, 20-7, 21-1, 22-1, 23-1, 23-2, 24-2, 24-5, 24-6, 24-7, 25-1, 26-2, 26-4, 27-5, 27-6, 27-12, 28-1, 30-1, 31-4, 31-5, 31-8, 32-6, 32-11, 33-3, 33-6, 33-8, 34-1, 34-2, 35-2, 36-1, 37-33, 37-35, 38-2, 40-6, 40-7, 42-8, 43-2, 44-1, 45-1, 46-7, 46-8, 47-38, 49-1.

Capital Funds

1-11, 3-8, 3-11, 5-4, 6-5, 6-18, 7-6, 9-22, 11-2, 12-3, 13-16, 13-19, 13-20, 13-21, 13-41, 13-45, 13-56, 13-58, 13-74, 15-6, 16-1, 20-5, 21-2, 22-5, 23-3, 27-10, 31-1, 31-3, 32-1, 32-23, 33-8, 33-9, 37-1, 37-33, 38-2, 40-3, 42-8, 42-9, 47-25, 49-22.

Financial Procedures

1-1, 1-11, 3-7, 3-12, 3-24, 3-26, 3-29, 4-2, 4-3, 4-5, 4-6, 4-10, 4-12, 5-1, 5-4, 5-5, 5-6, 5-11, 5-17, 5-21, 5-30, 5-33, 5-37, 5-39, 6-7, 6-16, 6-21, 7-5, 7-9, 7-10, 7-12, 7-16, 7-17, 9-1, 9-7, 9-9, 9-16, 9-28, 10-2, 10-5, 10-8, 10-15, 12-1, 13-12, 13-13, 13-15, 13-16, 13-19, 13-22, 13-23, 13-24, 13-26, 13-34, 13-37, 13-38, 13-47, 13-53, 13-61, 13-62, 13-63, 13-64, 13-65, 13-66, 13-71, 13-73, 15-1, 15-3, 15-5, 16-2, 16-3, 16-4, 16-5, 20-3, 20-10, 21-6, 22-2, 22-4, 22-6, 22-7, 23-1, 24-1, 24-9, 25-2, 25-4, 26-3, 27-2, 27-3, 27-4, 27-7, 27-12, 30-1, 31-7, 32-11, 32-13, 32-21, 33-1, 33-8, 33-11, 33-14, 33-17, 34-2, 34-3, 37-2, 37-3, 37-8, 37-9, 37-12, 37-16, 37-20, 37-21, 37-22, 37-24, 37-26, 37-33, 40-4, 40-6, 42-3, 42-18, 42-20, 43-2, 43-5, 43-6, 43-8, 43-14, 43-15, 43-20, 43-23, 46-8, 47-12, 47-15, 47-17, 47-20, 4725, 47-26, 47-28, 47-38, 47-45, 47-53, 47-54, 49-5.

ADMINISTRATION

Governing Bodies

1-11, 3-25, 5-3, 5-38, 5-42, 6-19, 6-22, 6-23, 9-16, 13-10, 13-49, 13-59, 14-5, 20-6, 20-9, 24-8, 26-3, 27-8, 27-9, 27-12, 30-1, 31-8, 32-17, 32-23, 32-25, 33-10, 33-15, 37-4, 37-25, 37-29, 37-30, 37-34, 39-2, 39-5, 40-1, 43-1, 43-15, 43-18, 47-8, 42-55, 49-6, 49-11.

Process of Policy Formation

1-11, 1-12, 4-3, 4-8, 4-9, 4-12, 5-12, 5-20, 5-38, 5-41, 5-42, 6-19, 6-23, 7-15, 9-6, 9-16, 9-19, 9-20, 10-7, 13-18, 13-26, 13-30, 13-51, 13-67, 20-7, 20-8, 21-3, 24-8, 26-3, 27-9, 27-12, 31-8, 33-1, 33-8, 33-10, 33-19, 40-2, 42-21, 43-17, 46-2, 47-46, 47-47, 47-49, 47-51, 47-56, 49-11, 49-24.

Administrative Operations

5-9, 5-12, 5-13, 5-23, 5-24, 5-25, 5-26, 5-27, 5-36, 5-41, 6-13, 6-14, 9-4, 9-14, 9-27, 9-28, 9-37, 9-43, 9-49, 10-16, 13-13, 13-68, 13-70, 14-1, 20-8, 32-2, 37-6, 37-11, 42-1, 42-17, 43-11, 43-22, 46-1, 46-5, 46-6, 47-4, 47-32, 47-44, 49-7, 49-10, 49-13, 49-21.

Coordination

3-21, 5-14, 5-38, 6-24, 9-16, 13-43, 23-14, 24-7, 25-3, 26-3, 27-9, 27-12, 32-8, 33-16, 37-15, 47-3, 47-34, 47-36, 47-37, 49-26.

Studies and Surveys

4-4, 5-5, 9-16, 13-27, 23-8, 23-9, 23-13, 26-2, 27-7, 27-8, 27-9, 27-10, 31-2, 33-8, 33-11, 33-19, 37-15, 39-2, 42-11, 43-24, 47-35, 47-36.

Enabling Legislation

6-8, 9-26, 25-3, 31-2, 32-22, 33-1.

PHYSICAL FACILITIES

Building Codes

3-5, 3-14, 9-30, 35-1, 37-28.

Construction Procedures

3-2, 3-3, 3-16, 5-7, 6-4, 6-7, 6-9, 7-4, 7-7, 9-5, 9-45, 9-46, 9-48, 26-3, 33-7, 42-15, 47-23.

Facility Regulations

4-3, 7-2, 9-4, 9-19, 9-34, 10-3, 10-6, 10-9, 13-1, 13-30, 15-2, 21-6, 32-3, 37-7, 37-13, 39-3, 42-6, 42-14, 42-16, 42-19, 47-51, 49-2, 49-18.

INSTITUTIONAL GROWTH

New Institutions

10-12, 10-13, 32-1, 33-5, 42-8, 47-42, 47-43.

Institutional Expansion

13-60, 35-3.

Name Changes

25-3, 33-4, 33-13.

Restrictions on Growth

23-7, 33-1, 42-7.

PERSONNEL

Employee Benefits

1-2, 1-8, 1-10, 3-1, 3-4, 3-20, 3-23, 3-27, 3-28, 4-1, 4-12, 5-8, 5-18, 5-31, 5-32, 5-35, 6-1, 9-1, 9-2, 9-3, 9-15, 9-21, 9-23, 9-24, 9-25, 9-29, 9-32, 9-35, 9-38, 9-47, 9-50, 9-51, 10-1, 10-4, 10-10, 13-3, 13-4, 13-5, 13-6, 13-7, 13-8, 13-9, 13-11, 13-14, 13-32, 13-33, 13-44, 13-48, 14-2, 14-4, 15-7, 15-8, 20-1, 23-8, 23-10, 24-7, 24-10, 26-3, 33-8, 37-5, 37-10, 37-14, 37-17, 37-18, 37-19, 37-23, 39-4, 39-6, 42-2, 42-4, 42-5, 42-8, 42-13, 42-22, 43-1, 43-4, 43-12, 43-13, 43-16, 47-11, 47-13, 47-14, 47-16, 47-19, 47-24, 47-30, 47-41, 49-3, 49-12, 49-17, 19-19.

Employee Rights

1-3, 3-13, 3-18, 4-8, 4-11, 4-12, 5-22, 5-32, 6-6, 6-13, 6-20, 6-25, 9-6, 9-18, 9-33, 9-36, 9-37, 9-41, 9-43, 9-52, 10-11, 10-14, 13-28, 13-46, 13-50, 13-51, 13-52, 20-4, 23-10, 24-3, 26-1, 27-14, 32-14, 32-15, 33-8, 33-18, 35-5, 37-31, 37-32, 42-10, 42-12, 42-17, 43-3, 43-7, 46-3, 47-17, 47-47, 47-48, 47-50, 47-52, 47-55, 47-58, 49-10.

Collective Bargaining

3-15, 5-15, 7-3, 7-15, 9-8, 9-10, 9-11, 9-12, 9-16, 9-39, 9-44, 13-49, 13-69, 15-8, 27-11, 32-5, 37-27, 47-49.

STUDENTS

Student Rights and Responsibilities

5-28, 5-29, 5-34, 7-11, 7-13, 9-20, 13-37, 13-59, 22-3, 32-4, 32-17, 32-25, 38-1, 39-1, 47-40, 47-44, 49-8, 49-14.

Tuition and Fees

3-6, 3-10, 3-17, 3-22, 5-10, 5-40, 6-11, 6-12, 6-15, 7-8, 9-16, 13-17, 16-5, 20-2, 22-8, 22-9, 23-12, 23-13, 27-13, 31-6, 32-16, 32-19, 32-20, 33-12, 40-5, 43-9, 43-20, 43-19, 43-21, 47-2, 47-3, 47-7, 47-9, 47-21, 47-31, 47-35, 47-39, 49-4, 49-9, 49-23, 49-24, 49-25.

Student Aid

3-9, 5-2, 5-19, 6-2, 6-10, 6-11, 7-14, 9-19, 9-40, 13-2, 13-25, 13-27, 13-31, 13-39, 13-40, 13-42, 15-55, 13-57, 13-72, 14-3, 14-6, 15-6, 16-6, 21-4, 21-5, 22-10, 23-4, 23-5, 23-11, 27-15, 32-9, 32-10, 32-12, 32-24, 35-7, 42-8, 46-4, 47-5, 47-22, 47-33, 49-16.

ACADEMIC PROGRAMS

Curriculum

4-4, 4-7, 4-9, 5-14, 5-16, 9-16, 9-17, 9-31, 9-42, 13-18, 13-29, 16-7, 20-7, 23-6, 23-13, 24-4, 32-7, 33-8, 33-16, 42-8, 43-24, 47-1, 47-12, 47-25, 47-29, 47-37.

Accreditation and Certification

3-19, 6-3, 7-13, 9-13, 9-16, 9-26, 14-5, 27-1, 32-18, 33-2, 33-8, 35-4, 35-6, 43-17, 43-18, 47-6, 47-10, 47-18, 47-27, 47-57, 49-15, 49-20.

APPENDIX C

Letter of Inquiry

July 20, 1979

Dear Colleague:

We are pleased to continue our joint efforts to produce an annual compilation, analysis, and report on state legislative actions. This letter is to close out the 1978 report and to start production of one for 1979.

Enclosed is a copy of the 1978 report on state legislative activity, STATE LEGISLATION AFFECTING COMMUNITY AND JUNIOR COLLEGES, 1978. We hope you find it both enlightening and useful. We are always interested in identifying ways that this annual survey can be improved so if you have any ideas, comments, or suggestions concerning this report, please do not hesitate to contact me.

The 1979 survey and report on state legislative activity will be the fifth annual survey of state legislation affecting community and junior colleges. Thanks to the growing cooperation we are getting routinely in this project, some information has already been sent to us as developments in various states take shape. We would like now, though, more formally and systematically to collect the legislative materials that will constitute the needed information base for the 1979 report.

Please send us information concerning state legislative developments affecting community colleges in your state. We need information in any or all of the following forms: copies of the relevant legislative bills, analyses of the actual legislation, and/or analyses of the issues under consideration by the state legislature that affect community colleges. Please be sure also to include 1979-80 community college appropriation figures.

Additionally this year we are interested in getting your views relative to the coordination of lifelong learning programs among various educational segments. To this end, I would like to ask you to complete the enclosed brief questionnaire and return it with your legislative report. Thank you very much for your cooperation.

Very cordially yours,

S. V. Martorana
Professor of Higher Education
and Research Associate

SVM/mkb

Enclosure

APPENDIX D

Follow-Up Letter

October 23, 1979

Dear Colleague:

Work is going forward well on the 1979 report on state legislation affecting community and junior colleges throughout the nation. The 1979 survey will be the fifth in the series so far produced as a service to your interests and other colleagues in the field. We need and urgently seek your cooperation to keep the work on schedule.

In mid-August we sent you a copy of the report on 1978 state legislation and a letter in which we requested your assistance in the preparation of the 1979 study. At that time we asked for two pieces of information: (1) copies of the bills and/or synopsis of the 1979 state legislation that affect community colleges in your state, and (2) figures on the 1979-80 state appropriations for community colleges in your state. At the same time, we aked you to complete a brief questionnaire relating to the coordination of lifelong learning programs among the various educational segments in your states.

As of this date, we have received a completed lifelong learning questionnaire from you, but we have not received any information on legislation affecting community colleges from your state. In case the original communication was misplaced, a copy of the first letter is enclosed.

We hope you will respond to this request as soon as possible. The series of annual reports is becoming more complete and useful to the field each year. However, a full response from each state is essential for the successful completion of the 1979 compilation and analysis of state legislation. We look forward to your response.

Very cordially yours,

S. V. Martorana
Professor of Higher Education
and Research Associate

and Wayne D. Smutz
Graduate Assistant

SVM/WDS/md

Enclosure

189

APPENDIX E

Coordinating Programs for Lifelong Learning
(A Survey of State Directors of Community and Junior Colleges)

Center for the Study of Higher Education
The Pennsylvania State University
June, 1979

Lifelong Learning (the idea that all adult Americans should have the opportunity and be encouraged to continue their learning throughout their lifetime) is receiving increased attention from postsecondary educational institutions and systems, and in legislative policy proposals (for example, the federal "Mondale" Amendment). Efforts to implement the concept, however, seem to be encountering some difficulties possibly as a result of unclear or competing roles claimed by different educational interests that are involved: community and junior colleges, four-year colleges and universities, school system adult education programs, and other community organizations with some educational components (business, industry, churches, libraries, etc.). Therefore, questions about the coordination or delineation of spheres of responsibility among the several interested educational components in providing opportunities for lifelong learning to the general public are increasingly arising. We believe a summary of (a) state-level awareness of and concern about this issue and (b) approaches to addressing it would be helpful. Will you please answer the questions listed below to enable us to make a preliminary summary and report to you on this matter.

As you observe developments related to lifelong learning in your state:

1. What is the general level of awareness among postsecondary educational leaders concerning the need to coordinate the efforts of the various educational segments in terms of lifelong learning programs?

   nonexistent___; low___; moderate___; high___; very high___.

2. What is the general level of awareness among legislators, members of the governor's staff, and other major public policy makers concerning the need to coordinate the efforts of the various educational segments in terms of lifelong learning programs?

   nonexistent___; low___; moderate___; high___; very high___.

3. What are the factors or conditions that caused you to reply as you did to #1?

190

4. What are the factors or conditions that caused you to reply as you did to #2?

5. What actions have been taken to address or resolve this issue of coordinating lifelong learning programs among the various educational segments?

6. What actions are planned to address or resolve this issue of coordinating lifelong learning programs among the various educational segments?

NOTES ON THE AUTHORS

S. V. MARTORANA is research associate at the Center for the Study of Higher Education and professor of higher education in the College of Education at Penn State. Dr. Martorana has an M.A. and Ph.D. in education from the University of Chicago. Previously he has served in a number of administrative and policy-making capacities in higher education, particularly in the areas of community colleges and statewide planning and coordination. He has published numerous books, monographs, and articles in these areas, among which are College Boards of Trustees, Criteria to Establishing Two-Year Colleges (with D. Grant Morrison), State Boards Responsible for Higher Education (with Ernest V. Hollis), Managing Academic Change (with Eileen Kuhns), and Regionalism in American Postsecondary Education (with Lawrence A. Nespoli).

WAYNE D. SMUTZ is a research assistant at the Center for the Study of Higher Education of The Pennsylvania State University and a doctoral candidate in higher education. Prior to assuming his current position, he served in an administrative capacity with Penn State for four years. He holds an A.B. degree in history from the University of California, Berkeley, and an M.A. degree in political science from Penn State. His publications include Dollars and Directives: Issues and Problems Relate to Financial Support and Legal Authorizations of Community Colleges (with S. V. Martorana and James L. Wattenbarger), "Legal Policies on Lifelong Learning: An Overview of the States" (with S. V. Martorana), and "State Legislation, Politics, and Community Colleges" (with S. V. Martorana).

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THE PENNSYLVANIA STATE UNIVERSITY

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